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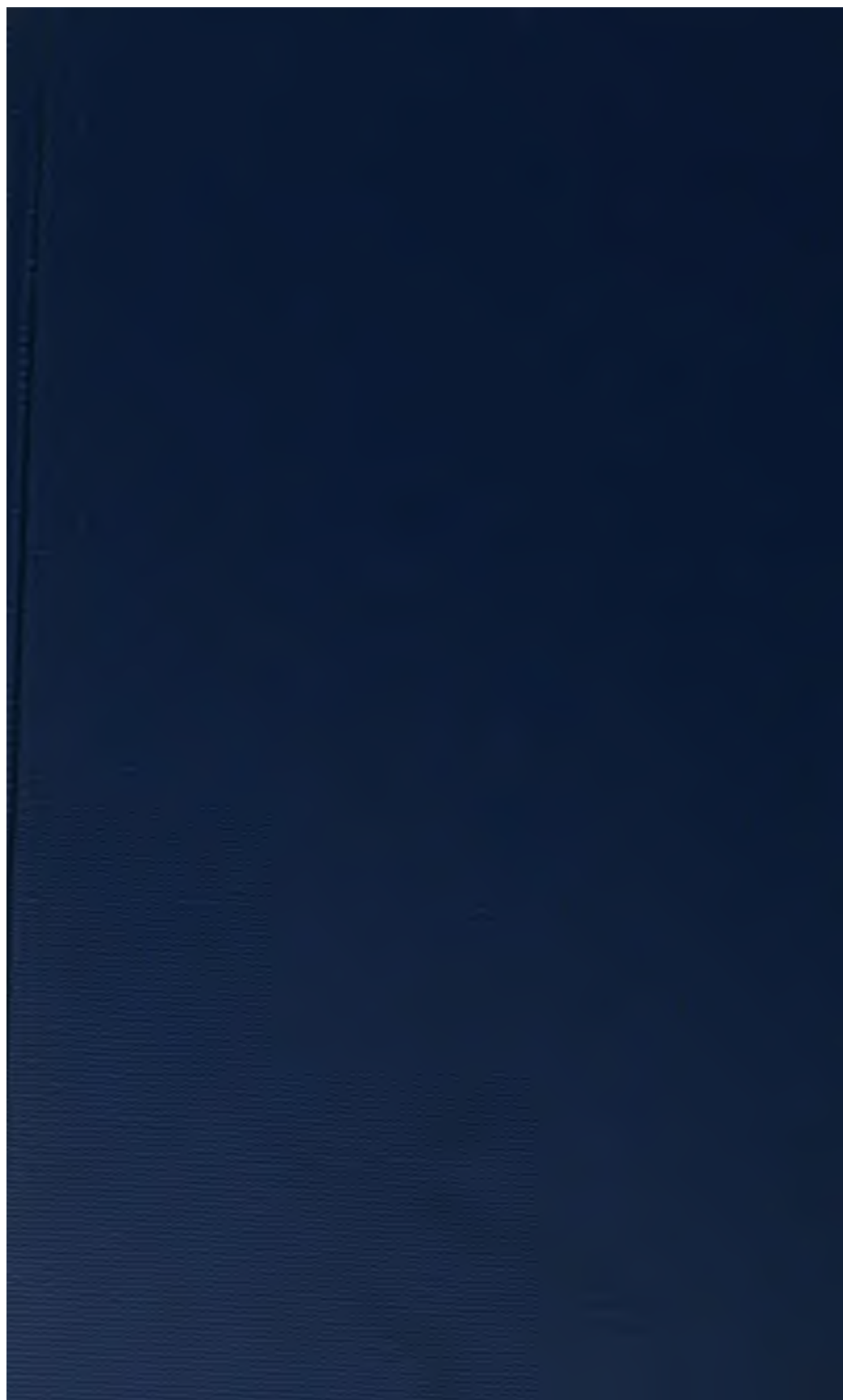
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General Court of Massachusetts,

IN THE YEAR

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1900,

TOGETHER WITH

THE CONSTITUTION, THE MESSAGES OF THE GOVERNOR,
LIST OF THE CIVIL GOVERNMENT, TABLES SHOWING
CHANGES IN THE STATUTES, CHANGES OF
NAMES OF PERSONS, ETC., ETC.

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1900.

A CONSTITUTION
OR
FORM OF GOVERNMENT
FOR THE
Commonwealth of Massachusetts.

PREAMBLE.

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed.
Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peace-

ably, without fraud, violence, or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

ARTICLE I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession of sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of GOD, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for

Legislature empowered to compel provision for public worship;

the support and maintenance of public Protestant teachers of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

and to enjoin attendance thereon.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Exclusive right of electing religious teachers secured.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

Option as to whom parochial taxes may be paid, unless, etc.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Right of self government secured.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Accountability of all officers, etc.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Objects of government; right of people to institute and change it.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and infeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Ch. I, Sect. 2, Art. II.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

122 Mass. 595, 596.

Right of protection and duty of contribution correlative.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

Taxation founded on consent.
16 Mass. 326.
1 Pick. 418.
7 Pick. 314.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 888.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 150.
4 Allen, 474.

Private property not to be taken for public uses without, etc.
6 Cush. 327.
14 Gray, 155.
16 Gray, 417, 431.

1 Allen, 150.	103 Mass. 120, 624.	113 Mass. 45.	127 Mass. 50, 52.
11 Allen, 530.	106 Mass. 356, 362.	116 Mass. 463.	358, 363, 410, 413.
12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.	129 Mass. 569.
100 Mass. 544, 590.	111 Mass. 130.		

Remedies, by recourse to the law, to be free, complete and prompt.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and

justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

107 Mass. 172, 180.
108 Mass. 5, 6.

118 Mass. 443, 451.
120 Mass. 118, 120.

122 Mass. 332.
124 Mass. 464.

127 Mass. 550, 554.
129 Mass. 550.

Prosecutions regulated.
8 Pick. 211.
10 Pick. 9.
18 Pick. 434.
21 Pick. 542.
2 Met. 329.
12 Cush. 246.
1 Gray, 1.
5 Gray, 160.
8 Gray, 329.
10 Gray, 11.
11 Gray, 438.
2 Allen, 361.
11 Allen, 238-
240, 264, 439,
478.
12 Allen, 170.
97 Mass. 670,
578.
100 Mass. 287,
395.
103 Mass. 418.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390.
130 Mass. 320, 321.

122 Mass. 505, 516.
123 Mass. 590, 593.

125 Mass. 182, 188.
128 Mass. 600.

Right to trial by jury in criminal cases, except, etc.
8 Gray, 329, 378.
103 Mass. 418.

Crimes to be proved in the vicinity.
2 Pick. 560.
121 Mass. 61, 62.

Right of search and seizure regulated.
Const. of U. S., Amend't IV.
2 Met. 329.
5 Cush. 369.
1 Gray, 1.
18 Gray, 454.
10 Allen, 403.
100 Mass. 136,
189.
126 Mass. 269,
273.

Right to trial by jury sacred, except, etc.
Const. of U. S., Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574,
577.
102 Mass. 45, 47.

Liberty of the press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil.
5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifications for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obligations of lawgivers and magistrates.

Right of people to instruct representatives and petition legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Power to suspend the laws or their execution.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Freedom of debate, etc., and reason thereof.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Frequent sessions, and objects thereof.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Taxation founded on consent.
8 Allen, 247.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421,
424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

5 Gray, 432.

Excessive bail or fines, and cruel punishments, prohibited.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Judges of supreme judicial court.
3 Pick. 471.
1 Gray, 472.
4 Allen, 591.
7 Allen, 385,
105 Mass. 219,
221, 225.
Tenure of their office.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Salaries.

Separation of executive, judicial, and legislative departments.
2 Cush. 577.
2 Allen, 351.
8 Allen, 247, 253,
100 Mass. 282,
286.
114 Mass. 247,
249.

PART THE SECOND.

The Frame of Government.

Title of body
politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative
department.

ARTICLE I. The department of legislation shall be formed by two branches, a Senate and House of Representatives ; each of which shall have a negative on the other.

For change of
time, etc., see
amendments,
Art. X.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary ; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May ;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

Governor's
veto.
99 Mass. 686.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal ; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated ; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law : but in all such cases,

Bill may be
passed by two-
thirds of each
house, notwith-
standing.

the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

3 Mass. 567.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

For exception in case of adjournment of the general court within the five days, see amendments, Art. I. General court may constitute judicatories, courts of record, etc. 8 Gray, 1. 12 Gray, 147, 164.

Courts, etc., may administer oaths.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to

General court may enact laws, etc. 9 Gray, 426. 4 Allen, 478. 12 Allen, 228, 237. 100 Mass. 544, 557. 116 Mass. 467, 470. may enact laws, etc., not repugnant to the constitution. 6 Allen, 358.

may provide for the election or appointment of officers. 115 Mass. 602.

may prescribe their duties.

General court
may impose
taxes, etc.
12 Mass. 232.
5 Allen, 428.
6 Allen, 566.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77, 223,
235, 238, 240,
299, 300, 312,
313, 500, 612.
94 Mass. 19.
100 Mass. 235.
101 Mass. 575,
585.
103 Mass. 267.
114 Mass. 398,
391.
116 Mass. 461.
118 Mass. 396,
399.
123 Mass. 493,
495.
127 Mass. 413.
may impose
taxes, etc., to be
disposed of for
defence, protec-
tion, etc.
8 Allen, 247, 256.
Valuation of
estates once in
ten years, at
least, while, etc.
8 Allen, 247.
126 Mass. 547.

this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

CHAPTER I.

SECTION II.

Senate.

Senate, number
of, and by
whom elected.
Superseded by
amendments,
Art. XIII.,
which was also
superseded by
amendments,
Art. XXII.

ARTICLE I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thir-

For provision as
to councillors,
see amend-
ments, Art.
XVI.

teen; and that no district be so large as to entitle the same to choose more than six senators.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz. : — Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Counties to be districts, until, etc.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz. : there shall be a meeting on the [first Monday in April,] annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word “inhabitant” in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

Manner and time of choosing senators and councillors. See amendments, Arts. X. and XV. As to cities, see amendments, Art. II. Provisions as to qualifications of voters, superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. Word “inhabitant” defined. See also amendments, Art. XXIII., which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] annually; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.

Plantation meetings. Time of election changed by amendments, Art. XV. Assessors to notify, etc.

Governor and council to examine and count votes, and issue summonses. Time changed to first Wednesday in January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summonses to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summonses to the persons so elected, that they may take their seats as aforesaid.

Senate to be final judge of elections, etc.,

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as

pointed out in the constitution ; and shall, [on the said last Wednesday in May] annually, determine and declare who are elected by each district to be senators [by a majority of votes ; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz. : The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for ; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district ; and in this manner all such vacancies shall be filled up in every district of the commonwealth ; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

of its own members.
Time changed to first Wednesday of January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.
Changed to election by people.
See amendments, Art. XXIV.

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

Qualifications of a senator.
Property qualification abolished.
See amendments, Art. XIII.
For further provision as to residence, see also amendments, Art. XXII.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Senate not to adjourn more than two days.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

shall choose its officers and establish its rules.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place

shall try all impeachments.

Oath.

Limitation of sentence.

of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Quorum. See amendments, Arts. XXII. and XXXIII.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

SECTION III.

House of Representatives.

Representation of the people.

ARTICLE I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

Representatives, by whom chosen. Superseded by amendments, Arts. XII. and XIII., which were also superseded by amendments, Art. XXI. 7 Mass. 528.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.

Proviso as to towns having less than 150 ratable polls.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Towns liable to fine in case, etc.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Expenses of travelling to and from the general court, how paid. Annulled by Art. XXXV.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Qualifications of a representative.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at

least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

New provision as to residence. See amendments, Art. XXI. Property qualifications abolished by amendments, Art. XIII.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Qualifications of a voter. These provisions superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. See also amendments, Art. XXIII., which was annulled by Art. XXVI. Representatives, when chosen.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House alone can impeach.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

House to originate all money bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Not to adjourn more than two days.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

Quorum. See amendments, Arts. XXI. and XXXIII.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.

May punish for certain offences. 14 Gray, 226.

house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate.
Governor and council may punish.
General limitation.
14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Governor.

ARTICLE I. There shall be a supreme executive magistrate, who shall be styled—THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be—HIS EXCELLENCY.

His title.

To be chosen annually.
Qualifications.
See amendments, Arts. VII. and XXXIV.

II. The governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds;] [and unless he shall declare himself to be of the Christian religion.]

By whom chosen, if he have a majority of votes.

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] annually, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form

a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and in case of an election by a [majority] of all the votes returned, the choice shall be by them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.

How chosen, when no person has a plurality.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

Power of governor, and of governor and council.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause

May adjourn or prorogue the general court upon request, and convene the same. As to dissolution, see amendments, Art. X.

happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolution, see amendments, Art. X.

Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

Governor to be commander-in-chief.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

VII. The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy; and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Limitation.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution

granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

Governor and council may pardon offences, except, etc.

But not before conviction.
109 Mass. 323.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

Judicial officers, etc., how nominated and appointed.
For provisions as to election of attorney-general, see amendments, Art. XVII.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointment of notaries public, see amendments, Art. IV.

X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

Militia officers, how elected.
Limitation of age struck out by amendments, Art. V.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

How commissioned.

Election of officers.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

Major-generals, how appointed and commissioned.

For provisions as to appointment of a commissary-general, see amendments, Art. IV.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elec-

Vacancies, how filled, in case, etc.

tions, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall

exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salary of governor.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Salaries of justices of supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

Salaries to be enlarged if insufficient.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

ARTICLE I. There shall be annually elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be—HIS HONOR; and who shall be qualified, in point of [religion,] [property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; [and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the senate and house of repre-

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII. and XXXIV.

How chosen.

Election by plurality provided for by amendments, Art. XIV.

sentatives, in the same manner as the governor is to be elected, in case no one person shall have a majority of the votes of the people to be governor.]

President of
council
Lieutenant-
governor a
member of,
except, etc.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

Lieutenant-
governor to be
acting governor,
in case, etc.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Council.
Number of
councillors
changed to
eight.
See amend-
ments, Art.
XVI.

ARTICLE I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Number; from
whom, and how
chosen.
Modified by
amendments,
Arts. X. and
XIII.
Superseded by
amendments,
Art. XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

If senators be-
come council-
lors, their seats
to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of
councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to
have more than
two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of
council.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present.

Council to exer-
cise the power
of governor in
case, etc.

VII. [And whereas the elections appointed to be made, by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

Elections may
be adjourned
until, etc.

Order thereof.
Superseded by
amendments,
Arts. XVI. and
XXV.

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

ARTICLE I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and] naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the pub-

Secretary, etc.,
by whom and
how chosen.
For provision as
to election of
secretary, treas-
urer and re-
ceiver-general,
and auditor and
attorney-general,
see amend-
ments, Art.
XVII.

Treasurer ineligible for more than five successive years.

lic accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.

For provision as to appointment of notaries public and the commissary-general, see amendments, Art. IV.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office during good behavior, except, etc. But may be removed on address.

ARTICLE I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600. 126 Mass. 557, 561.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of the peace; tenure of their office. 3 Cush. 584.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Provisions for holding probate courts. 12 Gray, 147.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce, and alimony. Other provisions made by law. 105 Mass. 327. 116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room ; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth ; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

Delegates to congress.

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

ARTICLE I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of God, been initiated in those arts and sciences which qualified them for public employments, both in church and state ; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America, —it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled

Harvard College.

Powers, privileges, etc., of the president and fellows, confirmed.

to have, hold, use, exercise, and enjoy ; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

All gifts,
grants, etc.,
confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively ; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

Who shall be
overseers.

See Statutes,
1851, 224.
1852, 27.
1856, 212.
1865, 173.
1890, 66.

Power of altera-
tion reserved to
the legislature.

III. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College ; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates ; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College ; provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Art. XVIII. 12 Allen, 500-503. 103 Mass. 94, 97.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

ARTICLE I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz. :

Oaths, etc.

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

Abolished. See amendments, Art. VII.

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the pres-

ence of the two houses of assembly ; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being.]

Declaration and oaths of all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz. :

For new oath of allegiance, see amendments, Art. VI.

[“ I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and independent state ; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever ; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever ; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States : and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation ; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, God.”]

Oath of office.

“ I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.”

Proviso. See amendments, Art. VI.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the

people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*"I do swear," "and abjure," "oath or," "and abjuration,"* in the first oath, and in the second oath, the words] *"swear and,"* and [in each of them] the words *"So help me, God;"* subjoining instead thereof, *"This I do under the pains and penalties of perjury."*

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Oaths and affirmations, how administered.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Plurality of offices prohibited to governor, etc., except, etc. See amendments, Art. VIII.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz.: judge of probate—sheriff—register of probate—or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Same subject. Allen, 553.

No person holding the office of judge of the supreme judicial court—secretary—attorney-general—solicitor-general—treasurer or receiver-general—judge of probate—commissary-general—[president, professor, or instructor of Harvard College]—sheriff—clerk of the house of representatives—register of probate—register of deeds—clerk of the supreme judicial court—clerk of the inferior court of common pleas—or officer of the customs, including in this description naval officers—shall at the

Incompatible offices. For further provisions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard College excepted by amendments, Art. XXVII.

same time have a seat in the senate or house of representatives ; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives ; and the place so vacated shall be filled up.

Incompatible
offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council ; or any councillor shall accept of either of those offices or places.

Bribery, etc.,
disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Value of money
ascertained.

III. In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce ; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.

Property quali-
fications may
be increased.
See amend-
ments, Arts.
XIII. and
XXXIV.

Provisions
respecting
commissions.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions re-
specting writs.
2 Pick. 592.
3 Met. 58.
13 Gray, 74.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts ; they shall be under the seal of the court from whence they issue ; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Continuation of
former laws,
except, etc.
1 Mass. 59.
2 Mass. 534.
8 Pick. 309, 316.
16 Pick. 107, 115.
2 Met. 118.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature ; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Benefit of
habeas corpus
secured, except,
etc.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner ; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.”

The enacting style.

IX. To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.

Officers of former government continued until, etc.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

Provision for revising constitution.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for
preserving and
publishing this
constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not
approved within
five days, not to
become a law,
if legislature
adjourn in the
mean time.
3 Mass. 567.
See Const., Ch.
I., § 1, Art. II.

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

General court
empowered to
charter cities.
122 Mass. 364.

ART. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Proviso.
112 Mass. 200.

Qualifications of
voters for gov-
ernor, lieuten-
ant-governor,
senators and
representatives.
See amend-
ments, Arts.
XXX. and
XXXII.
11 Pick. 533, 540.
14 Pick. 341.
14 Mass. 367.
5 Met. 162, 298,
591, 594.

ART. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state

or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

ART. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.

ART. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

ART. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

7 Gray, 299.
122 Mass. 595,
597.
124 Mass. 596.
For educational
qualification,
see amend-
ments, Art. XX.
For provision
as to those who
have served in
the army or
navy in time
of war, see
amendments,
Arts. XXVIII.
and XXXI.

Notaries public,
how appointed
and removed.

Vacancies in the
offices of secre-
tary and treas-
urer, how filled.
This clause
superseded by
amendments,
Art. XVII.

Commissary-
general may be
appointed, in
case, etc.

Militia officers,
how removed.

Who may vote
for captains and
subalterns.

Oath to be taken
by all officers.
See Const.,
Ch. VI., Art. I.

Proviso.
Quakers may
affirm.

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me, God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

Tests abolished.

ART. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Incompatibility
of offices.
122 Mass. 445,
600.
123 Mass. 535.

ART. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Amendments to
constitution,
how made.

ART. IX. If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed

amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.

ART. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

Commencement
of political
year,

and termina-
tion.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to be
held.

This clause
superseded by
amendments,
Art. XV.

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of

Article, when
to go into
operation.

January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.

Inconsistent provisions annulled.

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.

Religious freedom established. See Dec. of Rights, Art. III.

ART. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

“As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

122 Mass. 40, 41.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXI. Representatives, how apportioned.

ART. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred rata-

ble polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Fractions, how represented.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

Towns may unite into representative districts.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each

The governor and council to determine the number of representatives to which each town is entitled.

New apportionment to be made once in every ten years.

city, town and representative district may elect as aforesaid ; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI. and XXII.

ART. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter ; which census shall determine the apportionment of senators and representatives for the term of ten years. 122 Mass. 505.]

Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members ; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

The members of the house of representatives shall be apportioned in the following manner : Every town or city containing twelve hundred inhabitants may elect one representative ; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Small towns, how represented.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Towns may unite into representative districts.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years ; and

such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

Basis of representation, and ratio of increase.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

The governor and council to apportion the number of representatives of each town once in every ten years.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Qualifications of councillors.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Freehold as a qualification for a seat in general court or council not required.

ART. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Elections by the people to be by plurality of votes.

ART. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect rep-

Time of annual election of governor and legislature.

representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

Eight councillors to be chosen by the people. 122 Mass. 595, 598.

Legislature to district state.

Eligibility defined.

Day and manner of election, etc.

Vacancies, how filled. For new provision as to vacancies, see amendments, Art. XXV.

Organization of the government.

ART. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafter, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however*, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice

shall be by them declared and published ; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

ART. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen annually, on the day in November prescribed for the choice of governor ; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room ; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large ; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Election of secretary, treasurer, auditor, and attorney-general by the people.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

ART. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and

School moneys not to be applied for sectarian schools. For original provision as to

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103 Mass. 94, 96.

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10 Gray, 618.

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ART. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

110 Mass. 172, 173.

117 Mass. 602, 603.

121 Mass. 65.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

ART. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this pur-

pose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

ART. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and

Secretary shall certify to officers authorized to divide counties.

Meeting for division to be first Tuesday in August. Proceedings.

Qualifications of representatives 122 Mass. 595, 598.

Districts to be numbered, described and certified.

Quorum, see amendments, Art. XXXIII.

Census, etc. See F. S. c. 31.

Voters to be basis of apportionment of senators.

Senate to consist of forty members.

Senatorial districts, etc.

See amendments, Art. XXIV.

Qualifications of senators.

Quorum, see amendments, Art. XXXIII.

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

Vacancies in the senate.

returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

ART. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

ART. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

ART. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Vacancies in the council.

ART. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Twenty-third article of amendments annulled.

ART. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Provisions of Art. II., Chap. VI., relating to officers of Harvard College, annulled.

ART. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll tax.

Superseded by Art. XXXI.

ART. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voting precincts in towns.

ART. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed

Voters not disqualified by reason of change of residence until six months from time of removal.

his residence, until the expiration of six calendar months from the time of such removal.

Amendments,
Art. XXVIII.
amended.

ART. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words:—receiving or having received aid from any city or town,—and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who
served in army
or navy, etc.,
not disqualified
from voting for
non-payment of
poll tax.

Provisions of
amendments,
Art. III., rela-
tive to payment
of a tax as a
voting qualifica-
tion, annulled.

ART. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Quorum, in each
branch of the
general court,
to consist of a
majority of
members.

ART. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Provisions of
Art. II., § I.,
Chap. II., Part
II., relative to
property quali-
fication of
governor,
annulled.

ART. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of
Art. II., § III.,
Chap. I., rela-
tive to expense
of travelling to
the general
assembly by
members of the
house, annulled.

ART. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judg-

ment of the house, and does not depart without leave", is hereby annulled.

ART. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829-30 and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

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The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

[A proposed Article of Amendment, prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

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ACTS AND RESOLVES

OF

MASSACHUSETTS.

1900.

 The General Court of the year nineteen hundred assembled on Wednesday, the third day of January. The oaths of office were taken and subscribed by His Excellency W. MURRAY CRANE and His Honor JOHN L. BATES on Thursday, the fourth day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND TRAVELLING EXPENSES OF THE MEMBERS OF THE LEGISLATURE, FOR THE COMPENSATION OF THE OFFICERS THEREOF, AND FOR EXPENSES IN CONNECTION THEREWITH. *Chap. 1*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit :—

For the compensation of senators, thirty thousand seven hundred and fifty dollars. *Appropriations. Senators, compensation.*

For travelling expenses of senators, a sum not exceeding thirty-two hundred dollars. *Travelling expenses.*

For the compensation of representatives, one hundred and eighty thousand seven hundred and fifty dollars. *Representatives, compensation.*

For travelling expenses of representatives, a sum not exceeding twenty thousand dollars. *Travelling expenses.*

For the compensation of the chaplains of the senate and house of representatives, three hundred dollars each. *Chaplains.*

For the salaries of the clerks of the senate and house of representatives, three thousand dollars each. *Senate and house clerks.*

For the salaries of the assistant clerks of the senate and house of representatives, two thousand dollars each. *Assistant clerks.*

For such additional clerical assistance for the clerks of the senate and house of representatives as may be necessary for the proper despatch of public business, a sum not exceeding three thousand dollars. *Clerical assistance.*

For the salary of the sergeant-at-arms, thirty-five hundred dollars. *Sergeant-at-arms.*

For the salary of the first clerk in the office of the sergeant-at-arms, twenty-two hundred dollars. *First clerk.*

For the salaries of the doorkeepers of the senate and house of representatives, fifteen hundred dollars each. *Doorkeepers.*

Postmaster,
messengers, etc.

For the compensation of the assistant doorkeepers, postmaster, messengers and pages to the senate and house of representatives, a sum not exceeding thirty-one thousand five hundred dollars.

Senate
stationery.

For stationery for the senate, purchased by the clerk, a sum not exceeding nine hundred dollars.

House
stationery.

For stationery for the house of representatives, purchased by the clerk, a sum not exceeding fifteen hundred dollars.

Printing and
binding, senate
and house.

For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, a sum not exceeding thirty thousand dollars.

Manual.

For printing and binding the manual of the general court, under the direction of the clerks of the senate and house of representatives, a sum not exceeding three thousand dollars.

Sergeant-at-
arms, station-
ery, etc.

For books, stationery, postage, printing and advertising, ordered by the sergeant-at-arms, a sum not exceeding one thousand dollars.

Senate and
house, contin-
gent expenses.

For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, a sum not exceeding six thousand dollars.

Expenses of
committees.

For authorized expenses of committees of the present legislature, to include clerical assistance to committees authorized to employ the same, also expenses in connection with committee advertising, a sum not exceeding twenty-five thousand dollars.

Witness
fees, etc.

For expenses of summoning witnesses before committees, and for fees of such witnesses, a sum not exceeding two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 16, 1900.

Chap. 2 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE EXECUTIVE DEPARTMENT OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Lieutenant
governor and
council, com-
pensation.

For the compensation of the lieutenant governor, two thousand dollars; and for the executive council, sixty-four hundred dollars.

- For travelling expenses of the executive council, a sum not exceeding fifteen hundred dollars. Travelling expenses.
- For the salary of the private secretary of the governor, twenty-five hundred dollars. Private secretary.
- For the salary of the executive secretary, two thousand dollars. Executive secretary.
- For the salary of the executive stenographer, a sum not exceeding fifteen hundred dollars. Stenographer.
- For the salary of the executive messenger, twelve hundred dollars. Messenger.
- For contingent expenses of the executive department, the sum of three thousand dollars. Executive department, expenses.
- For postage, printing and stationery for the executive department, a sum not exceeding eight hundred dollars. Postage, printing, etc.
- For travelling and contingent expenses of the governor and council, a sum not exceeding twenty-five hundred dollars. Governor and council, expenses.
- For postage, printing and stationery for the executive council, a sum not exceeding five hundred dollars. Postage, printing, etc.
- For the payment of extraordinary expenses, to be expended under the direction of the governor and council, a sum not exceeding fifteen thousand dollars. Extraordinary expenses.
- For the preparation of tables and indexes relating to the statutes of the present and previous years, under the direction of the governor, a sum not exceeding five hundred dollars. Indexes, etc., to statutes.
- For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars. Arrest of fugitives from justice.
- SECTION 2. This act shall take effect upon its passage.
- Approved January 25, 1900.*

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE TREASURER AND RECEIVER GENERAL.

Chap. 3

Be it enacted, etc., as follows :

- SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : — Appropriations.
- For the salary of the treasurer and receiver general of the Commonwealth, five thousand dollars. Treasurer.
- For the salary of the first clerk in the treasurer's department, twenty-five hundred dollars. First clerk.

- Second clerk.** For the salary of the second clerk in the treasurer's department, two thousand dollars.
- Cashier.** For the salary of the cashier in the treasurer's department, two thousand dollars.
- Third clerk.** For the salary of the third clerk in the treasurer's department, fourteen hundred dollars.
- Fund clerk.** For the salary of the fund clerk in the treasurer's department, fourteen hundred dollars.
- Receiving teller.** For the salary of the receiving teller in the treasurer's department, fourteen hundred dollars.
- Paying teller.** For the salary of the paying teller in the treasurer's department, fourteen hundred dollars.
- Assistant book-keeper.** For the salary of the assistant bookkeeper in the treasurer's department, twelve hundred dollars.
- Clerical assistance.** For such additional clerical assistance in the treasurer's department as may be necessary for the despatch of public business, a sum not exceeding thirty-five hundred dollars.
- Messenger.** For the salary of the messenger in the treasurer's department, the sum of nine hundred dollars.
- Expenses.** For incidental and contingent expenses in the treasurer's department, a sum not exceeding sixty-five hundred dollars.
- Clerical assistance.** For clerical assistance in the treasurer's department, in the care and custody of deposits made with him in trust, a sum not exceeding eighteen hundred dollars.
- Legacy tax clerk.** For the salary of the legacy tax clerk in the treasurer's department, eighteen hundred dollars.
- Tax on collateral legacies, etc.** For such expenses as the treasurer may find necessary in carrying out the provisions of the act imposing a tax on collateral legacies and successions, a sum not exceeding seven hundred and fifty dollars.
- Deputy sealer of weights, etc.** For the salary of the deputy sealer of weights, measures and balances, twelve hundred dollars.
- Expenses.** For travelling and other expenses of the deputy sealer of weights, measures and balances, a sum not exceeding five hundred dollars; and for furnishing sets of standard weights, measures and balances to towns not heretofore provided therewith, and to each newly incorporated town, also to provide cities and towns with such portions of said sets as may be necessary to make their sets complete, a sum not exceeding six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE AUDITOR OF THE COMMONWEALTH. *Chap. 4*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the salary of the auditor, thirty-five hundred dollars. *Auditor.*

For the salary of the first clerk in the auditor's department, twenty-two hundred dollars. *First clerk.*

For the salary of the second clerk in the auditor's department, two thousand dollars. *Second clerk.*

For the salaries of the extra clerks in the auditor's department, forty-five hundred dollars. *Extra clerks.*

For a stenographer, and for such additional clerical assistance as the auditor may find necessary for the proper despatch of public business, a sum not exceeding three thousand dollars. *Stenographer, etc.*

For the salary of the messenger in the auditor's department, nine hundred dollars. *Messenger.*

For the compensation of a state printing expert, a sum not exceeding fifteen hundred dollars. *Printing expert.*

For incidental and contingent expenses in the auditor's department, a sum not exceeding fifteen hundred dollars. *Expenses.*

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE ATTORNEY-GENERAL OF THE COMMONWEALTH. *Chap. 5*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the salary of the attorney-general, five thousand dollars. *Attorney-general.*

For the compensation of assistants in the office of the attorney-general, and for such additional legal assistance as he may deem necessary in the discharge of his duties, *Assistants, etc.*

and also for other necessary expenses in his department, a sum not exceeding thirty-six thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 6 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES OF EMPLOYEES, AND FOR OTHER NECESSARY EXPENSES IN THE DEPARTMENT OF THE SERGEANT-AT-ARMS.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit :—

Engineer's department. For the salary of the chief engineer and other employees in the engineer's department, a sum not exceeding ten thousand two hundred dollars.

Watchmen, etc. For the salaries of the watchmen and assistant watchmen at the state house, a sum not exceeding eleven thousand one hundred dollars.

Firemen, etc. For the salaries of firemen, oilers and cleaners at the state house, a sum not exceeding ten thousand five hundred dollars.

Elevators. For the salaries of the elevator men, and expenses in connection with the elevators at the state house, a sum not exceeding sixty-eight hundred dollars.

Special messenger, etc. For the salaries of the special messenger and porters at the state house, a sum not exceeding five thousand three hundred dollars.

Telephones. For rent of telephones and expenses in connection therewith at the state house, a sum not exceeding five thousand dollars.

Fuel and lights. For fuel and lights at the state house, including coal, water, gas, and removal of ashes, a sum not exceeding thirty thousand dollars.

Care of state house, etc. For the care of the state house and grounds, including repairs, furniture and repairs thereof, and such expenses as may be necessary at the various buildings on Mount Vernon Street now occupied by state departments, a sum not exceeding twenty-five thousand dollars.

New furniture, etc. For new furniture and fixtures, a sum not exceeding five thousand dollars.

Messengers, etc. For the salaries of the messengers to the sergeant-at-

arms, known as sergeant-at-arms' messengers, including an office boy, a sum not exceeding forty-two hundred dollars.

For incidental and contingent expenses of the sergeant-at-arms, a sum not exceeding three hundred dollars. Expenses.

For the salary of the stenographer of the sergeant-at-arms, a sum not exceeding eight hundred dollars. Stenographer.

For the salary of the state house matron, a sum not exceeding eight hundred dollars. Matron.

For the salary of the janitor at the Commonwealth building, a sum not exceeding nine hundred dollars. Janitor, Commonwealth building.

For repairs, improvements, furniture and other necessary expenses at the Commonwealth building, a sum not exceeding three thousand dollars. Repairs, etc.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE TAX COMMISSIONER.

Chap. 7

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: — Appropriations.

For the salary of the tax commissioner and commissioner of corporations, thirty-five hundred dollars. Tax commissioner.

For the salary of the deputy tax commissioner, twenty-five hundred dollars. Deputy.

For the salary of the first clerk in the department of the tax commissioner, two thousand dollars. First clerk.

For the salary of the second clerk in the department of the tax commissioner, fifteen hundred dollars. Second clerk.

For such additional clerical assistance as the tax commissioner may find necessary for the despatch of public business, a sum not exceeding sixteen thousand dollars. Clerical assistance.

For travelling expenses of the tax commissioner and his deputy, a sum not exceeding one thousand dollars. Travelling expenses.

For incidental and contingent expenses of the tax commissioner and commissioner of corporations, a sum not exceeding thirty-four hundred dollars. Expenses.

For expenses of the state valuation, under the direction State valuation.

of the tax commissioner, a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 8 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE COMMISSIONERS OF SAVINGS BANKS.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Commissioners of savings banks, chairman. For the salary of the chairman of the commissioners of savings banks, thirty-five hundred dollars.

Associate commissioners. For the salaries of the two associate commissioners of savings banks, three thousand dollars each.

First clerk. For the salary of the first clerk of the commissioners of savings banks, two thousand dollars.

Second clerk. For the salary of the second clerk of the commissioners of savings banks, fifteen hundred dollars.

Additional clerks, etc. For such additional clerks and expert assistants as the commissioners of savings banks may deem necessary, a sum not exceeding twenty-five hundred dollars.

Expenses. For travelling and incidental expenses of the commissioners of savings banks, a sum not exceeding thirty-three hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 9 AN ACT MAKING APPROPRIATIONS FOR THE SALARY AND EXPENSES OF THE STATE PENSION AGENT.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

State pension agent. For the salary of the state pension agent, two thousand dollars.

Clerical assistance, etc. For clerical assistance, travelling and other necessary

expenses of the state pension agent, a sum not exceeding four thousand seven hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS SCHOOL FUND. Chap. 10

Be it enacted, etc., as follows :

SECTION 1. The sum of one hundred thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Massachusetts School Fund, as provided for by chapter ninety of the resolves of the year eighteen hundred and ninety-four.

Massachusetts
School Fund.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE PERKINS INSTITUTION AND MASSACHUSETTS SCHOOL FOR THE BLIND. Chap. 11

Be it enacted, etc., as follows :

SECTION 1. The sum of thirty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Perkins Institution and Massachusetts School for the Blind, as provided for by chapter nineteen of the resolves of the year eighteen hundred and sixty-nine.

Perkins Insti-
tution and Mas-
sachusetts
School for the
Blind.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF ANNUITIES TO SOLDIERS AND OTHERS. Chap. 12

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for annuities and pensions due from the Commonwealth to soldiers and others, during the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Appropriations.

For annuities incurred by the acceptance of the bequest of the late Martha Johonnot, a sum not exceeding two hundred dollars.

Johonnot annu-
ties.

Annuities to
soldiers, etc.

For annuities to soldiers and others, as authorized by the general court, the sum of five thousand six hundred and eighty dollars.

Pensions.

For pensions authorized by the general court, the sum of five hundred and twenty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 13 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE STATE LIBRARY.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

State librarian.

For the salary of the state librarian, three thousand dollars.

Purchase of
books.

For the purchase of books for the state library, sixty-five hundred dollars.

Clerical assist-
ance.

For such clerical assistance in the state library as may be necessary, a sum not exceeding forty-three hundred dollars.

Index to current
events.

For preparing an index to current events and such other matters contained in the newspapers of the day as may be deemed important by the trustees and librarian, a sum not exceeding one thousand dollars.

Expenses.

For contingent expenses in the state library, to be expended under the direction of the trustees and librarian, a sum not exceeding eighteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 14 AN ACT MAKING AN APPROPRIATION FOR THE WORCESTER POLYTECHNIC INSTITUTE.

Be it enacted, etc., as follows :

Worcester Poly-
technic Insti-
tute.

SECTION 1. The sum of six thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Worcester Polytechnic Institute, as provided for by chapter one hundred and fifty-seven of the acts of the year eighteen hundred and ninety-nine.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS. *Chap. 15*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

To carry out the provisions of the act to promote the establishment and efficiency of free public libraries, a sum not exceeding five hundred dollars.

Appropriations.

Free public libraries.

For clerical assistance to and incidental expenses of the board of free public library commissioners, a sum not exceeding five hundred dollars.

Clerical assistance, etc.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE REMOVAL OF WRECKS FROM TIDE WATERS. *Chap. 16*

Be it enacted, etc., as follows :

SECTION 1. The sum of five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for expenses in connection with the removal of wrecks and other obstructions from tide waters, as provided for in section nine of chapter two hundred and sixty of the acts of the year eighteen hundred and eighty-three, during the year ending on the thirty-first day of December in the year nineteen hundred.

Removal of obstructions from tide waters.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE COMPENSATION OF INSPECTORS OF ANIMALS AND PROVISIONS. *Chap. 17*

Be it enacted, etc., as follows :

SECTION 1. A sum not exceeding eight thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the compensation of inspectors of animals and provisions during the year ending on the thirty-first day of December in the year nineteen hundred.

Inspectors of animals and provisions.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 18 AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Be it enacted, etc., as follows:

Massachusetts
Institute of
Technology.

SECTION 1. The sum of twenty-nine thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Massachusetts Institute of Technology.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 19 AN ACT MAKING APPROPRIATIONS FOR THE SALARY AND EXPENSES OF THE GENERAL SUPERINTENDENT OF PRISONS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

General super-
intendent of
prisons.

For the salary of the general superintendent of prisons, thirty-five hundred dollars.

Clerical
assistance.

For clerical assistance to the general superintendent of prisons, a sum not exceeding one thousand dollars.

Travelling
expenses.

For travelling expenses of the general superintendent of prisons, a sum not exceeding five hundred dollars.

Expenses.

For incidental and contingent expenses of the general superintendent of prisons, a sum not exceeding fifteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 20 AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED.

Be it enacted, etc., as follows:

Massachusetts
School for the
Feeble-minded.

SECTION 1. The sum of thirty-five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Massachusetts School for the Feeble-minded, as provided for by chapter sixty-six of the resolves of the year eighteen hundred and ninety-eight.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND EXPENSES OF THE BALLOT LAW COMMISSION. *Chap. 21*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the compensation of the ballot law commission, a sum not exceeding fifteen hundred dollars. *Appropriations. Ballot law commission.*

For expenses of the ballot law commission, a sum not exceeding five hundred dollars. *Expenses.*

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS STATE FIREMEN'S ASSOCIATION. *Chap. 22*

Be it enacted, etc., as follows :

SECTION 1. The sum of ten thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Massachusetts State Firemen's Association, as provided for by chapter one hundred and seventy-seven of the acts of the year eighteen hundred and ninety-two. *Massachusetts State Firemen's Association.*

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE DISTRICT POLICE. *Chap. 23*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the salary of the chief of the district police, a sum not exceeding twenty-five hundred dollars. *Appropriations. Chief of district police.*

For the salary of the first clerk in the office of the chief of the district police, fifteen hundred dollars. *First clerk.*

For the salary of the second clerk in the office of the chief of the district police, one thousand dollars. *Second clerk.*

Clerk in boiler
inspection de-
partment.

For the salary of the clerk in the boiler inspection department of the district police, six hundred dollars.

Members of dis-
trict police.

For the compensation of the members of the district police, a sum not exceeding seventy-one thousand dollars.

Travelling
expenses.

For travelling expenses of the members of the district police, a sum not exceeding twenty-three thousand three hundred dollars.

Incidental
expenses, etc.

For incidental and contingent expenses of the chief and members of the district police, a sum not exceeding two thousand dollars.

Expenses of
steamer Lex-
ington.

For running expenses of the steamer Lexington to be used under the charge of the chief of the district police for the enforcement of the fish laws, a sum not exceeding eight thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 24 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE REFORMATORY PRISON FOR WOMEN.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Reformatory
prison for
women.

For the payment of salaries, wages and labor at the reformatory prison for women, a sum not exceeding twenty-five thousand dollars.

Expenses.

For current expenses at the reformatory prison for women, a sum not exceeding thirty-two thousand dollars.

Sewage dis-
posal.

For the town of Framingham, toward the annual expense of maintaining and operating the system of sewage disposal at the reformatory prison for women, the sum of six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 25 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE COMMISSIONERS OF THE MASSACHUSETTS NAUTICAL TRAINING SCHOOL.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for

the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the payment of current expenses of the Massachusetts nautical training school, a sum not exceeding fifty thousand dollars.

Nautical training school.

For the necessary expenses of the commissioners of the Massachusetts nautical training school, to include salary of the secretary, clerical services, printing, stationery and other contingent expenses, a sum not exceeding five thousand dollars.

Expenses of commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE JUDICIAL DEPARTMENT OF THE COMMONWEALTH.

Chap. 26

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Appropriations.

SUPREME JUDICIAL COURT.

For travelling expenses of the chief justice of the supreme judicial court, five hundred dollars.

Supreme judicial court, chief justice.

For travelling expenses of the six associate justices of the supreme judicial court, three thousand dollars.

Associate justices.

For the salary of the clerk of the supreme judicial court, three thousand dollars.

Clerk.

For clerical assistance to the clerk of the supreme judicial court, five hundred dollars.

Clerical assistance to clerk.

For clerical assistance to the justices of the supreme judicial court, a sum not exceeding twenty-five hundred dollars.

Clerical assistance to justices.

For expenses of the supreme judicial court, a sum not exceeding two thousand dollars.

Expenses.

For the salary of the reporter of decisions of the supreme judicial court, four thousand dollars ; and for clerk hire and incidental expenses of said reporter, a sum not exceeding two thousand dollars.

Reporter of decisions.

For the salaries of the officers and messenger of the supreme judicial court, twenty-four hundred dollars.

Officers and messenger.

For the salary of the clerk of the supreme judicial court for the county of Suffolk, fifteen hundred dollars.

Clerk for Suffolk.

SUPERIOR COURT.

Superior court,
chief justice.

For the salary and travelling expenses of the chief justice of the superior court, sixty-five hundred dollars.

Associate
justices.

For the salaries and travelling expenses of the seventeen associate justices of the superior court, one hundred and two thousand dollars.

COURTS OF PROBATE AND INSOLVENCY.

Probate and
insolvency
judges, Suffolk.

For the salaries of the two judges of probate and insolvency for the county of Suffolk, five thousand dollars each.

Middlesex.

For the salaries of the two judges of probate and insolvency for the county of Middlesex, forty-five hundred dollars each.

Worcester.

For the salary of the judge of probate and insolvency for the county of Worcester, thirty-five hundred dollars.

Essex.

For the salary of the judge of probate and insolvency for the county of Essex, thirty-seven hundred dollars.

Norfolk.

For the salary of the judge of probate and insolvency for the county of Norfolk, twenty-eight hundred dollars.

Bristol.

For the salary of the judge of probate and insolvency for the county of Bristol, three thousand dollars.

Plymouth.

For the salary of the judge of probate and insolvency for the county of Plymouth, two thousand dollars.

Berkshire.

For the salary of the judge of probate and insolvency for the county of Berkshire, twenty-five hundred dollars.

Hampden.

For the salary of the judge of probate and insolvency for the county of Hampden, three thousand dollars.

Hampshire.

For the salary of the judge of probate and insolvency for the county of Hampshire, sixteen hundred dollars.

Franklin.

For the salary of the judge of probate and insolvency for the county of Franklin, fifteen hundred dollars.

Barnstable.

For the salary of the judge of probate and insolvency for the county of Barnstable, thirteen hundred dollars.

Nantucket.

For the salary of the judge of probate and insolvency for the county of Nantucket, seven hundred dollars.

Dukes County.

For the salary of the judge of probate and insolvency for the county of Dukes County, seven hundred dollars.

Acting in other
counties.

For the compensation of judges of probate and insolvency acting in other counties than their own, a sum not exceeding three thousand dollars.

For the salary of the register of probate and insolvency Register, Suffolk. for the county of Suffolk, five thousand dollars.

For the salary of the register of probate and insolvency Middlesex. for the county of Middlesex, four thousand dollars.

For the salary of the register of probate and insolvency Essex. for the county of Essex, thirty-three hundred dollars.

For the salary of the register of probate and insolvency Worcester. for the county of Worcester, three thousand dollars.

For the salary of the register of probate and insolvency Norfolk. for the county of Norfolk, twenty-three hundred dollars.

For the salary of the register of probate and insolvency Bristol. for the county of Bristol, twenty-five hundred dollars.

For the salary of the register of probate and insolvency Plymouth. for the county of Plymouth, eighteen hundred dollars.

For the salary of the register of probate and insolvency Hampshire. for the county of Hampshire, sixteen hundred dollars.

For the salary of the register of probate and insol- Hampden. vency for the county of Hampden, twenty-five hundred dollars.

For the salary of the register of probate and insolvency Berkshire. for the county of Berkshire, eighteen hundred dollars.

For the salary of the register of probate and insolvency Franklin. for the county of Franklin, fifteen hundred dollars.

For the salary of the register of probate and insolvency Barnstable. for the county of Barnstable, thirteen hundred dollars.

For the salary of the register of probate and insolvency Nantucket. for the county of Nantucket, seven hundred dollars.

For the salary of the register of probate and insolvency Dukes County. for the county of Dukes County, seven hundred dollars.

For the salary of the assistant register of probate and Assistant regis- Suffolk. insolvency for the county of Suffolk, twenty-eight hundred dollars.

For the salary of the assistant register of probate and Middlesex. insolvency for the county of Middlesex, two thousand eighty-three dollars and thirty-four cents.

For the salary of the assistant register of probate and Worcester. insolvency for the county of Worcester, two thousand three hundred dollars.

For the salary of the assistant register of probate and Essex. insolvency for the county of Essex, eighteen hundred dollars.

For the salary of the assistant register of probate and Norfolk. insolvency for the county of Norfolk, twelve hundred dollars.

Hampden.	For the salary of the assistant register of probate and insolvency for the county of Hampden, one thousand dollars.
Hampshire.	For the salary of the assistant register of probate and insolvency for the county of Hampshire, six hundred dollars.
Clerk, Suffolk.	For the salary of the clerk of the register of probate and insolvency for the county of Suffolk, twelve hundred dollars.
Clerical assistance, Suffolk.	For extra clerical assistance to the register of probate and insolvency for the county of Suffolk, a sum not exceeding fifty-one hundred dollars.
Middlesex.	For extra clerical assistance to the register of probate and insolvency for the county of Middlesex, a sum not exceeding forty-five hundred dollars.
Hampden.	For extra clerical assistance to the register of probate and insolvency for the county of Hampden, a sum not exceeding six hundred dollars.
Essex.	For extra clerical assistance to the register of probate and insolvency for the county of Essex, a sum not exceeding twenty-five hundred dollars.
Bristol.	For extra clerical assistance to the register of probate and insolvency for the county of Bristol, a sum not exceeding four hundred dollars.
Worcester.	For extra clerical assistance to the register of probate and insolvency for the county of Worcester, a sum not exceeding thirty-three hundred and fifty dollars.
Plymouth.	For extra clerical assistance to the register of probate and insolvency for the county of Plymouth, a sum not exceeding five hundred dollars.
In the several counties except Hampshire and Suffolk.	For extra clerical assistance to the courts of probate and insolvency in the several counties of the Commonwealth, excepting Hampshire and Suffolk counties, a sum not exceeding eighty-four hundred sixty-six dollars and sixty-seven cents.
Expenses.	For expenses of courts of probate and insolvency, a sum not exceeding thirty-five hundred dollars.

DISTRICT ATTORNEYS.

District attorney, Suffolk.	For the salary of the district attorney for the Suffolk district, five thousand dollars.
First assistant.	For the salary of the first assistant district attorney for the Suffolk district, thirty-three hundred dollars.
Second assistant.	For the salary of the second assistant district attorney for the Suffolk district, thirty-three hundred dollars.

For the salary of the clerk of the district attorney for the Suffolk district, eighteen hundred dollars.

For the salary of the district attorney for the northern district, twenty-four hundred dollars.

District attorney, northern district.

For the salary of the assistant district attorney for the northern district, fifteen hundred dollars.

Assistant.

For the salary of the district attorney for the eastern district, twenty-four hundred dollars.

Eastern district.

For the salary of the assistant district attorney for the eastern district, twelve hundred dollars.

Assistant.

For the salary of the district attorney for the southeastern district, twenty-four hundred dollars.

Southeastern district.

For the salary of the assistant district attorney for the southeastern district, twelve hundred dollars.

Assistant.

For the salary of the district attorney for the southern district, twenty-two hundred dollars.

Southern district.

For the salary of the assistant district attorney for the southern district, twelve hundred dollars.

Assistant.

For the salary of the district attorney for the middle district, twenty-four hundred dollars.

Middle district.

For the salary of the assistant district attorney for the middle district, twelve hundred dollars.

Assistant.

For the salary of the district attorney for the western district, twenty-one hundred dollars.

Western district.

For the salary of the district attorney for the northwestern district, thirteen hundred and fifty dollars.

Northwestern district.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH.

Chap. 27

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Appropriations.

For the salary of the secretary of the Commonwealth, thirty-five hundred dollars.

Secretary of the Commonwealth.

For the salary of the first clerk in the secretary's department, twenty-two hundred dollars.

First clerk.

For the salary of the second clerk in the secretary's department, two thousand dollars.

Second clerk.

For the salary of the chief of the archives division in the secretary's department, two thousand dollars.

Chief of archives division.

Cashier.	For the salary of the cashier in the secretary's department, a sum not exceeding fifteen hundred dollars.
Extra clerks and messengers.	For messengers and such additional clerical assistance as the secretary may find necessary, a sum not exceeding twenty-four thousand dollars.
Expenses.	For incidental and contingent expenses in the secretary's department, a sum not exceeding thirty-five hundred dollars.
Arrangement of records, etc.	For the arrangement and preservation of state records and papers, a sum not exceeding five thousand dollars.
Postage, etc.	For postage and expressage on documents to members of the general court, and for transportation of documents to free public libraries, a sum not exceeding twenty-nine hundred dollars.
Purchase of histories.	For the purchase of histories of regiments, batteries or other military organizations of Massachusetts volunteers who served in the civil war, a sum not exceeding two thousand dollars.
Ballot boxes.	For furnishing cities and towns with ballot boxes, and for repairs to the same, a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 28 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE CONTROLLER OF COUNTY ACCOUNTS.

Be it enacted, etc., as follows :

Appropriations.	SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —
Controller of county accounts.	For the salary of the controller of county accounts, twenty-five hundred dollars.
First deputy.	For the salary of the first deputy controller of county accounts, eighteen hundred dollars.
Second deputy.	For the salary of the second deputy controller of county accounts, fifteen hundred dollars.
Third deputy.	For the salary of the third deputy controller of county accounts, one thousand dollars.
Expenses.	For travelling and office expenses of the controller of county accounts and his deputies, a sum not exceeding twelve hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE INSPECTORS OF GAS METERS. *Chap. 29*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

For the salary of the inspector of gas meters, twenty-five hundred dollars. *Inspector of gas meters.*

For the salary of the assistant inspector of gas meters, twelve hundred dollars. *Assistant.*

For travelling and incidental expenses of the inspector and assistant inspector of gas meters, a sum not exceeding six hundred and fifty dollars. *Expenses.*

For such additional apparatus as the inspector of gas meters may find necessary, a sum not exceeding two hundred and fifty dollars. *Additional apparatus.*

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF CERTAIN EXPENSES IN PROTECTING THE PURITY OF INLAND WATERS. *Chap. 30*

Be it enacted, etc., as follows :

SECTION 1. A sum not exceeding thirty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for services of engineers, chemists, biologists and other assistants, and for other expenses made necessary and authorized by chapter three hundred and seventy-five of the acts of the year eighteen hundred and eighty-eight, in protecting the purity of inland waters during the year nineteen hundred. *Engineers, chemists, etc.*

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SUNDRY AGRICULTURAL EXPENSES. *Chap. 31*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Com- *Appropriations.*

monwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Board of agriculture, secretary, etc.

For the salary of the secretary of the state board of agriculture and executive officer of the state dairy bureau, three thousand dollars.

First clerk.

For the salary of the first clerk of the secretary of the state board of agriculture, eighteen hundred dollars.

Second clerk.

For the salary of the second clerk of the secretary of the state board of agriculture, twelve hundred dollars.

Clerical assistance.

For other clerical assistance in the office of the secretary of the state board of agriculture, and for lectures before the board at its annual and other meetings, a sum not exceeding eight hundred dollars.

Travelling expenses, etc.

For travelling and other necessary expenses of the members of the state board of agriculture, a sum not exceeding nineteen hundred dollars.

Incidental expenses, etc.

For incidental and contingent expenses of the state board of agriculture, a sum not exceeding eight hundred dollars.

Expenses of secretary.

For travelling and other necessary expenses of the secretary of the state board of agriculture, a sum not exceeding five hundred dollars.

Farmers' institutes.

For disseminating useful information in agriculture by means of lectures at farmers' institutes, a sum not exceeding two thousand dollars.

Bounties.

For bounties to agricultural societies, a sum not exceeding nineteen thousand eight hundred dollars.

Experiment station.

For maintaining an agricultural experiment station at the Massachusetts Agricultural College, the sum of ten thousand dollars.

Agricultural college, scholarships.

For the Massachusetts Agricultural College for the purpose of providing eighty free scholarships, the sum of ten thousand dollars.

Labor fund, etc.

For the Massachusetts Agricultural College, the sum of ten thousand dollars, to be expended under the direction of the trustees for the following purposes, to wit : — Five thousand dollars for the establishment of a labor fund to assist needy students of said college, and five thousand dollars to provide the theoretical and practical education required by its charter and by the laws of the United States relating thereto.

Expenses of trustees.

For travelling and other necessary expenses of the trustees of the Massachusetts Agricultural College, a sum not exceeding eight hundred dollars.

For the salary of an assistant to the secretary of the state board of agriculture, to assist in the work of the state dairy bureau, twelve hundred dollars.

Assistant to secretary of board of agriculture.

For assistants, experts, chemists, agents, and other necessary expenses of the state dairy bureau, a sum not exceeding seven thousand dollars.

Experts, chemists, etc.

For purchasing nails or spikes to be driven into certain trees designated by the authorities of cities and towns, for the purpose of preserving ornamental and shade trees on public highways, a sum not exceeding two hundred dollars.

Preservation of trees.

To defray the expense of collecting and analyzing samples of concentrated commercial feed stuffs, as provided for by chapter one hundred and seventeen of the acts of the year eighteen hundred and ninety-seven, twelve hundred dollars.

Collecting, etc., samples of concentrated commercial feed stuffs.

For a maintenance fund for the veterinary laboratory at the Massachusetts Agricultural College, the sum of one thousand dollars.

Veterinary laboratory.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE STATE BOARD OF HEALTH. *Chap. 32*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Appropriations.

For the salary of the secretary of the state board of health, three thousand dollars.

State board of health, secretary.

For the general work of the state board of health, including all necessary travelling expenses, a sum not exceeding twenty thousand dollars.

Expenses.

For salaries and expenses in connection with the inspection of milk, food and drugs, a sum not exceeding eleven thousand five hundred dollars.

Inspection of milk, food and drugs.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 33 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE STATE BOARD OF ARBITRATION AND CONCILIATION.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

Board of arbitration, etc. For the salaries of the members of the state board of arbitration and conciliation, six thousand dollars.

Clerk. For the salary of the clerk of the state board of arbitration and conciliation, twelve hundred dollars.

Expenses. For travelling, incidental and contingent expenses of the state board of arbitration and conciliation, a sum not exceeding thirty-two hundred and fifty dollars, which shall include the compensation of expert assistants.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1900.

Chap. 34 AN ACT MAKING AN APPROPRIATION FOR CERTAIN ALTERATIONS AND ADDITIONS AT THE ASYLUM FOR INSANE CRIMINALS AT THE STATE FARM.

Be it enacted, etc., as follows:

State farm. SECTION 1. The sum of twenty-eight thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to be expended at the state farm under the direction of the trustees and superintendent thereof, for such alterations of and additions to the asylum for harmless pauper insane men as will provide not less than one hundred and forty strong rooms for insane criminals, as provided for by chapter sixty-six of the resolves of the year eighteen hundred and ninety-nine

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 35 AN ACT MAKING AN APPROPRIATION FOR THE SALARY OF THE ASSAYER AND INSPECTOR OF LIQUORS.

Be it enacted, etc., as follows:

Assayer and inspector of liquors. SECTION 1. The sum of twelve hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the

salary of the assayer and inspector of liquors for the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF STATE AND
MILITARY AID AND EXPENSES IN CONNECTION THEREWITH.

Chap. 36

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit : —

For reimbursement to cities and towns for money paid State and
on account of state and military aid to Massachusetts military aid.
volunteers and their families, a sum not exceeding seven
hundred fifty-seven thousand six hundred dollars, the
same to be paid on or before the first day of December
in the year nineteen hundred.

For the salary of the commissioner of state aid ap- Commissioner
pointed by the governor and council, twenty-five hundred of state aid.
dollars.

For clerical assistance, salaries and expenses of agents, Clerical
and other expenses of the commissioners of state aid, assistance, etc.
a sum not exceeding eight thousand nine hundred dol-
lars.

For postage, printing and other necessary expenses in Expenses.
carrying out the provisions of the state and military aid
laws, a sum not exceeding eight hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE SALARY AND EXPENSES
OF THE COMMISSIONER OF PUBLIC RECORDS.

Chap. 37

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit : —

For the salary of the commissioner of public records, Commissioner
twenty-five hundred dollars. of public
records.

Expenses.

For travelling, clerical and other necessary expenses of the commissioner of public records, a sum not exceeding nineteen hundred and ninety dollars.

Purchase of record inks.

For the purchase of record inks for public records, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 38

AN ACT MAKING APPROPRIATIONS FOR PRINTING AND BINDING PUBLIC DOCUMENTS, THE PURCHASE OF PAPER AND PUBLISHING LAWS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

Public documents.

For printing and binding the series of public documents, a sum not exceeding sixty thousand dollars.

Pamphlet edition, acts and resolves.

For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding four thousand dollars.

Blue book.

For printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding seven thousand dollars.

Publication of laws, etc.

For the newspaper publication of the general laws and information intended for the public, a sum not exceeding five hundred dollars.

Decisions of supreme judicial court.

For reports of decisions of the supreme judicial court, a sum not exceeding two thousand dollars.

Purchase of paper.

For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding thirty-two thousand dollars.

Assessors' books, etc.

For assessors' books and blanks, a sum not exceeding fifteen hundred dollars.

Registration books, etc.

For registration books and blanks, indexing returns and editing registration report, a sum not exceeding five thousand dollars.

Printing, etc., ballots.

For printing and distributing ballots, a sum not exceeding ten thousand dollars.

Blank forms, etc.

For blank forms for town officers, election laws and instructions on all matters relating to elections, and expense of advertising the state ticket, a sum not exceeding three thousand dollars.

For furnishing blanks to registrars of voters, a sum not exceeding five hundred dollars. Blanks, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE HARBOR IMPROVEMENT LOAN SINKING FUND.

Chap. 39

Be it enacted, etc., as follows :

SECTION 1. The sum of fifty-two hundred fifty dollars and twenty-four cents is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Harbor Improvement Loan Sinking Fund, as provided for by section two of chapter five hundred and thirteen of the acts of the year eighteen hundred and ninety-seven, said sum being the estimate of the treasurer and receiver general. Harbor Improvement Loan Sinking Fund.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE COMMISSIONERS OF PRISONS, AND FOR SUN-DRY REFORMATORY EXPENSES.

Chap. 40

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : — Appropriations.

For the salary of the secretary of the commissioners of prisons, twenty-five hundred dollars. Commissioners of prisons, secretary.

For clerical assistance in the office of the commissioners of prisons, a sum not exceeding twenty-eight hundred dollars. Clerical assistance.

For the salaries of the agents of the commissioners of prisons, fifty-two hundred dollars. Agents.

For travelling expenses of the commissioners of prisons, and of the secretary and agents of said commissioners, a sum not exceeding three thousand dollars. Travelling expenses.

For incidental and contingent expenses of the commissioners of prisons, a sum not exceeding twelve hundred dollars. Expenses.

For the salary of the agent for aiding discharged female prisoners, a sum not exceeding one thousand dollars. Agent for aiding discharged female prisoners.

Expenses.

For the expenses of the agent for aiding discharged female prisoners, including assistance rendered to said prisoners, a sum not exceeding three thousand dollars.

Aiding prisoners discharged from reformatory.

For aiding prisoners discharged from the Massachusetts reformatory, a sum not exceeding five thousand dollars.

Aiding prisoners discharged from state prison.

For aiding prisoners discharged from the state prison, a sum not exceeding three thousand dollars.

Removal of prisoners.

For expenses incurred in removing prisoners to and from state and county prisons, a sum not exceeding nine hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 41 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE BUREAU OF STATISTICS OF LABOR.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

Bureau of statistics, chief.

For the salary of the chief of the bureau of statistics of labor, three thousand dollars.

First clerk.

For the salary of the first clerk of the bureau of statistics of labor, two thousand dollars.

Second clerk.

For the salary of the second clerk of the bureau of statistics of labor, sixteen hundred and fifty dollars.

Special agents.

For the salaries of the two special agents of the bureau of statistics of labor, the sum of twenty-four hundred dollars.

Clerical assistance, etc.

For such additional clerical assistance and for such expenses of the bureau of statistics of labor as may be necessary, a sum not exceeding thirteen thousand eight hundred dollars.

Statistics of manufactures.

For expenses in connection with the annual collection of statistics of manufactures, a sum not exceeding sixty-five hundred dollars.

Rent of additional rooms, etc.

For rent of additional rooms for the use of the bureau of statistics of labor for such period of time as may be required for the purposes of the decennial census, a sum not exceeding seven hundred sixty-two dollars and fifty cents.

Expenses of special census.

For expenses in connection with taking a special census in towns having an increased resident population during

the summer months, a sum not exceeding four hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE GAS AND ELECTRIC LIGHT COMMISSIONERS. Chap. 42

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit :—

For the salaries of the gas and electric light commis- Gas and electric
light commis-
sioners.
sioners, eleven thousand dollars.

For clerical assistance to the gas and electric light Clerical assist-
ance.
commissioners, a sum not exceeding thirty-five hundred
dollars.

For statistics, books, stationery, and for the necessary Expenses.
expenses of the gas and electric light commissioners, a
sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE METROPOLITAN PARKS Chap. 43
LOAN SINKING FUND.

Be it enacted, etc., as follows :

SECTION 1. The sum of eighteen thousand eighty-one Metropolitan
Parks Loan
Sinking Fund.
dollars and thirty-one cents is hereby appropriated, to be
paid out of the treasury of the Commonwealth from the
ordinary revenue, for the Metropolitan Parks Loan Sink-
ing Fund, toward retiring the scrip known as series two,
issued in accordance with chapter two hundred and eighty-
eight of the acts of the year eighteen hundred and ninety-
four, said sum being the estimate of the treasurer and
receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 44 AN ACT MAKING AN APPROPRIATION FOR THE EXPENSE OF ENFORCING THE LAW TO REGULATE THE PRACTICE OF PHARMACY.

Be it enacted, etc., as follows:

Enforcing
law to regulate
practice of
pharmacy.

SECTION 1. The sum of fifty-five hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of enforcing the law to regulate the practice of pharmacy during the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 45 AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS WAR LOAN SINKING FUND.

Be it enacted, etc., as follows:

Massachusetts
War Loan Sink-
ing Fund.

SECTION 1. The sum of twenty-one thousand nine hundred twenty-two dollars and forty-eight cents is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Massachusetts War Loan Sinking Fund, as provided for by section eight of chapter five hundred and sixty-one of the acts of the year eighteen hundred and ninety-eight, said sum being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

Chap. 46 AN ACT MAKING AN APPROPRIATION FOR THE STATE HOUSE LOANS SINKING FUND.

Be it enacted, etc., as follows:

State House
Loans Sinking
Fund.

SECTION 1. The sum of one hundred twenty-six thousand three hundred sixty-seven dollars and twenty-five cents is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the State House Loans Sinking Fund, as provided for by chapter thirty-nine of the acts of the year eighteen hundred and ninety-five, said sum being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE ADJUTANT GENERAL, AND FOR SUN-
DRY OTHER MILITARY EXPENSES. Chap. 47

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit: —

For the salary of the adjutant general, thirty-six hun- Adjutant gen-
dred dollars. eral.

For the salary of the first clerk in the adjutant general's First clerk.
department, twenty-two hundred dollars.

For the salary of the second clerk in the adjutant gen- Second clerk.
eral's department, sixteen hundred dollars.

For the salary of an additional clerk in the adjutant Additional
general's department, two thousand dollars. clerk.

For the salaries of the two extra clerks in the adjutant Extra clerks.
general's department, twelve hundred dollars each.

For the salary of the messenger in the adjutant gen- Messenger.
eral's department, eight hundred dollars.

For such additional clerical assistance as the adjutant Clerical assist-
general may deem necessary, and for compensation of ance.
employees at the state arsenal, a sum not exceeding sixty-
three hundred dollars.

For compensation of officers and men of the volunteer Militia compen-
militia, a sum not exceeding one hundred and forty-six sation.
thousand eight hundred dollars.

For transportation of officers and men of the volunteer Transportation.
militia, when on military duty, a sum not exceeding nine-
teen thousand dollars.

For incidental and contingent expenses in the adjutant Expenses.
general's department, a sum not exceeding four thousand
dollars.

For rent of brigade and battalion headquarters and com- Rent of
pany armories, a sum not exceeding thirty-eight thousand armories.
five hundred dollars.

For quartermasters' supplies, a sum not exceeding fif- Quartermas-
teen thousand dollars. ters' supplies.

For incidental and contingent expenses of the quarter- Expenses.
master general's department, a sum not exceeding five
thousand dollars.

Camp ground.	For grading and care of the camp ground of the Commonwealth at Framingham, a sum not exceeding one thousand dollars.
Military accounts.	For expenses in connection with military accounts, not otherwise provided for, a sum not exceeding four thousand dollars.
Care of armories, etc.	For heating, lighting, furnishing and caring for the armories recently erected in certain cities of the Commonwealth for the use of the volunteer militia, a sum not exceeding twenty-two thousand dollars.
Janitors.	For services of janitors of certain armories, a sum not exceeding seven thousand dollars.
Clothing.	For allowance and repairs of clothing of the volunteer militia, a sum not exceeding nine thousand dollars.
Rifle practice.	For expenses in connection with the rifle practice of the volunteer militia, a sum not exceeding fifteen thousand dollars.
Surgeon general.	For the salary of the surgeon general, twelve hundred dollars.
Medical supplies.	For medical supplies for the use of the volunteer militia, and for incidental and contingent expenses of the surgeon general, a sum not exceeding two thousand dollars.
Care, etc., of U. S. steamer Minnesota.	For furnishing, repairing and caring for the United States steamer Minnesota, loaned to the Commonwealth and used as an armory for the naval militia, a sum not exceeding four thousand dollars.
Equipment for first regiment of heavy artillery.	For the purchase of equipment for the use of the first regiment of heavy artillery, as authorized by chapter fifty-six of the resolves of the year eighteen hundred and ninety-eight, a sum not exceeding three thousand dollars, being a re-appropriation, the same having reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.
Sale of grass at camp ground, etc.	Any sums of money received under the provisions of section eighty-seven of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three, and any sums received from the sale of grass at the camp ground at Framingham during the year nineteen hundred, may be expended by the quartermaster general during the present year, under the direction of the governor and council, for the construction and repair of buildings and other structures.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT *Chap. 48*
THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit : —

For the salaries of officers at the Massachusetts re- Massachusetts
formatory, a sum not exceeding eighty-two thousand reformatory,
dollars. officers.

For salaries and wages of instructors, teachers and Instructors,
other employees at the Massachusetts reformatory, a sum teachers, etc.
not exceeding twenty-four thousand nine hundred dollars.

For other current expenses at the Massachusetts re- Expenses.
formatory, a sum not exceeding one hundred and nine
thousand seven hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT MAKING APPROPRIATIONS FOR SUNDRY MISCELLANEOUS *Chap. 49*
EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit : —

For the payment of unclaimed moneys in the hands of Unclaimed
receivers of certain insolvent corporations, after the same moneys in
have been deposited in the treasury of the Common- hands of
wealth, a sum not exceeding three thousand dollars. receivers.

To carry out the provisions of the act relative to the Funds received
payment from the treasury of the Commonwealth of funds from public
received from public administrators, a sum not exceeding administrators.
four thousand dollars.

For medical examiners' fees, a sum not exceeding five Medical ex-
hundred dollars. aminers' fees.

For expenses incurred in the construction and repair Construction,
of roads in the town of Mashpee during the year eight- etc., of roads
teen hundred and ninety-nine, the sum of three hundred in Mashpee.
dollars.

Beach Point road.

For assistance to the town of Truro in maintaining a section of its county highway known as Beach Point road, a sum not exceeding five hundred dollars.

City of Waltham.

For the city of Waltham, for the annual assessment due from the Commonwealth toward maintaining and operating a system of sewage disposal at the Massachusetts School for the Feeble-minded, the sum of eight hundred twenty dollars and eighty-nine cents, as provided for in section three of chapter eighty-three of the acts of the year eighteen hundred and ninety-three.

Sarah J. Robinson.

For the support of Sarah J. Robinson, a prisoner in the jail at Lowell, a sum not exceeding four hundred dollars.

Probation officers.

For the compensation of probation officers, as authorized by section seven of chapter three hundred and fifty-six of the acts of the year eighteen hundred and ninety-one, a sum not exceeding six hundred dollars.

Small items of expenditure.

For small items of expenditure for which no appropriations have been made, and for cases in which the appropriation has been exhausted or has reverted to the treasury of the Commonwealth in previous years, a sum not exceeding one thousand dollars, to be expended under the direction of the auditor of the Commonwealth.

Lyman and industrial schools.

For travelling and other necessary expenses of the trustees of the Lyman and industrial schools, a sum not exceeding one thousand dollars.

Military museum.

For the expense of maintaining a military museum, as provided for by chapter two hundred and four of the acts of the year eighteen hundred and ninety-seven, a sum not exceeding fifteen hundred dollars.

Publication of opinions of attorney-general.

For the publication of the opinions of the attorney-general, as authorized by chapter ninety-five of the resolves of the year eighteen hundred and ninety-eight, a sum not exceeding two thousand dollars, being a re-appropriation, the same having reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.

Reports of capital trials.

For printing reports of capital trials, under the direction of the attorney-general, a sum not exceeding fifteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 2, 1900.

AN ACT RELATIVE TO THE ESTABLISHMENT OF THE INTERNATIONAL INSTITUTE FOR GIRLS IN SPAIN. *Chap. 50*

Be it enacted, etc., as follows :

SECTION 1. The International Institute for Girls in Spain, a corporation organized under the general laws of this Commonwealth, is hereby authorized to establish and maintain an institution for the education of girls, at any place in Spain which its board of directors may determine. Education of girls in Spain.

SECTION 2. This act shall take effect upon its passage.

Approved February 3, 1900.

AN ACT TO INCORPORATE THE CROMPTON AND KNOWLES LOOM WORKS. *Chap. 51*

Be it enacted, etc., as follows :

SECTION 1. Charles H. Hutchins, George Crompton, Frank P. Knowles and Randolph Crompton, their associates and successors, are hereby made a corporation by the name of the Crompton and Knowles Loom Works, for the purpose of acquiring the property of the Crompton and Knowles Loom Works, a corporation organized under the laws of the state of Rhode Island, and of manufacturing, buying and selling textiles, textile and other machinery ; and for this purpose shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in all general laws which are now or may hereafter be in force relating to such corporations, except as herein otherwise expressly provided. Crompton and Knowles Loom Works incorporated.

SECTION 2. The capital stock of said corporation shall be three million dollars, and said corporation shall not transact any business until the full amount of capital has been paid in. Capital stock.

SECTION 3. The capital stock of said corporation shall be divided into seven thousand five hundred shares of preferred stock and twenty-two thousand five hundred shares of common stock, the par value of both classes of stock to be one hundred dollars for each share. Preferred and common stock.

SECTION 4. The holders of said preferred stock shall be entitled to receive out of the net profits of the corporation dividends at the rate of eight per cent per annum before any dividends are paid upon the common stock ; said dividends on the preferred stock to be cumulative, Holders of preferred stock to be entitled to certain profits, privileges, etc.

but without interest on deferred payments. Holders of said preferred stock shall be entitled to all the privileges of common stockholders, except the right to vote upon said preferred stock.

In case of dissolution to be entitled to certain payments, etc.

SECTION 5. In case of the dissolution or termination of said corporation the holders of preferred stock shall be entitled to payment of the par value of their shares, together with dividends due upon the same, before any payments are made to the holders of common stock.

Section 4 to be printed on certificates.

SECTION 6. Each certificate of the preferred stock shall have printed upon its face section four of this act.

SECTION 7. This act shall take effect upon its passage.

Approved February 3, 1900.

Chap. 52 AN ACT TO BETTER DEFINE THE LIMITS OF THE MIDDLEBOROUGH FIRE DISTRICT.

Be it enacted, etc., as follows:

Limits of Middleborough Fire District defined.

SECTION 1. For the purpose of better defining the limits of the Middleborough Fire District the bounds of said district are hereby re-established so as to include territory lying within the following bounds, to wit:— Beginning at a stone bound on the northerly side of the Nemasket river, a corner of the towns of Middleborough and Lakeville, thence in said town line, north, thirty-two degrees forty-six minutes west, nine hundred and forty-eight feet to a stone bound marking an angle in said town line; thence in said town line, north, fifty degrees ten minutes west, three thousand four hundred and seventy-two feet to a stone bound on the northerly side line of the land occupied by the New York, New Haven and Hartford Railroad Company, lessees, known as the Fall River branch; thence north, two degrees forty-nine minutes west, six thousand eight hundred and six feet to a stone bound on the easterly side of Cross street, the westerly corner of a lot of land owned by George S. Clark and Elmer B. Cole, known as the Morton lot; thence north, sixty degrees one minute east, four thousand seven hundred and sixty-six feet to a stone bound on the northeasterly side of Everett street, a short distance northerly from the house owned by Jennie L. Baxter, a corner of lands owned by George R. Sampson and Job Braley; thence in the line between said Sampson and Braley, north, eighty-seven degrees thirty minutes east,

six hundred and fifty feet to a stone bound ; thence in the same course to the centre of the channel of the Nemasket river ; thence up stream in the centre of the channel of said river to a point marking its intersection with the centre of the channel of a brook which crosses the north-easterly part of the farm and homestead of George H. Place ; thence up stream in the centre of the channel of said brook to a stone bound on the northerly side of East Main street ; thence south, five degrees fourteen minutes west, six thousand three hundred and eighty-four feet to a stone bound on the northerly corner of the intersection of Wood and Wareham streets ; thence south, seventy-four degrees twenty-one minutes west, two thousand seven hundred and forty-nine feet to a stone bound on the northwesterly side of Wood street, a corner of lands of Edward S. Hathaway and John W. Tinkham ; thence north, seventy-one degrees three minutes west, one thousand one hundred and twenty-seven feet to the centre of a gate on the line of the water pipe running from Grove street to the Middleborough almshouse ; thence north, sixty-two degrees nineteen minutes west, one thousand four hundred and thirty-two feet to a stone bound near the said Nemasket river ; thence south, seventy-six degrees forty-four minutes west, two thousand three hundred and seventy feet to the stone bound first mentioned. The points of compass given above are magnetic, and are twelve degrees eight minutes west of true north.

Limits of Middleborough Fire District defined.

SECTION 2. This act shall take effect upon its acceptance by a majority of the qualified voters of the town of Middleborough present and voting at any legal town meeting duly called for the purpose after the passage of this act.

When to take effect.

Approved February 8, 1900.

AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO INCUR INDEBTEDNESS FOR THE ERECTION OF A MEMORIAL TO ROBERT TREAT PAINE, AND TO GIVE LAND THEREFOR.

Chap. 53

Be it enacted, etc., as follows :

SECTION 1. The city of Taunton, for the purpose of erecting a memorial to Robert Treat Paine, may incur indebtedness to an amount, to be raised by taxation or loan, not exceeding five thousand dollars ; and for this purpose it may issue from time to time bonds, notes or scrip, not exceeding in the aggregate said amount, and

May incur indebtedness, issue bonds, etc.

may give any land belonging to the city as a site for the memorial.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1900.

Chap. 54 AN ACT MAKING AN APPROPRIATION FOR OPERATING THE CHARLES RIVER VALLEY SYSTEM OF SEWERAGE.

Be it enacted, etc., as follows:

Charles River
Valley System
of sewerage.

SECTION 1. A sum not exceeding forty-nine thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the maintenance and operation of the system of sewage disposal for the cities of Boston, Newton and Waltham, and the towns of Watertown and Brookline, known as the Charles River Valley System, during the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1900.

Chap. 55 AN ACT MAKING AN APPROPRIATION FOR OPERATING THE NEPONSET RIVER VALLEY SYSTEM OF SEWAGE DISPOSAL

Be it enacted, etc., as follows:

Neponset river
valley system
of sewage
disposal.

SECTION 1. A sum not exceeding twenty-five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the maintenance and operation of the Neponset river valley system of sewage disposal, during the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1900.

Chap. 56 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE STATE PRISON.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

State prison.

For the payment of salaries at the state prison, a sum not exceeding eighty thousand dollars.

For other current expenses at the state prison, a sum Expenses.
not exceeding eighty-four thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1900.

AN ACT MAKING AN APPROPRIATION FOR OPERATING THE NORTH
METROPOLITAN SYSTEM OF SEWERAGE.

Chap. 57

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding ninety-five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the maintenance and operation of the system of sewage disposal for the cities of Boston, Cambridge, Somerville, Malden, Chelsea, Woburn, Medford, Melrose and Everett, and the towns of Stoneham, Winchester, Arlington and Belmont, known as the North Metropolitan System, during the year ending on the thirty-first day of December in the year nineteen hundred.

North Metro-
politan System
of Sewerage.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1900.

AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR SEWERAGE PURPOSES.

Chap. 58

Be it enacted, etc., as follows:

SECTION 1. The city of Taunton, for the purposes mentioned in section one of chapter two hundred and nineteen of the acts of the year eighteen hundred and ninety-five and acts in addition thereto, may incur indebtedness from time to time to an amount not exceeding four hundred thousand dollars beyond its debt limit, and may issue bonds, notes, scrip or certificates of debt therefor, to be denominated on the face thereof, Taunton Sewer Loan. Said bonds, notes, scrip or certificates of debt shall be payable within such period, not exceeding thirty years from the date thereof, and shall bear interest at such rate, as the city council of said city shall determine. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall apply to the indebtedness hereby authorized and to the securities issued therefor.

Taunton Sewer
Loan.

P. S. 29, etc., to
apply.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

Chap. 59 AN ACT TO AUTHORIZE THE CITY OF NEWBURYPORT TO INCUR
ADDITIONAL INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows :

1889, 233, § 9,
etc., amended.

Newburyport
Sewer Loan,
Act of 1889.

SECTION 1. Section nine of chapter two hundred and thirty-three of the acts of the year eighteen hundred and eighty-nine, as amended by chapter two hundred and twenty-seven of the acts of the year eighteen hundred and ninety-six, is hereby further amended by striking out the word "ten", in the sixth line, and inserting in place thereof the word :— eighty-five, — so as to read as follows :— *Section 9.* The said city may, for the purposes of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate one hundred and eighty-five thousand dollars beyond the limit of indebtedness fixed by law for said city. Such bonds, notes or scrip shall bear on the face thereof the words, Newburyport Sewer Loan, Act of 1889, shall be payable at the expiration of periods not exceeding thirty years from the date of issue and shall bear interest payable semi-annually at a rate not exceeding six per cent per annum ; but the provisions of chapter twenty-nine of the Public Statutes and of chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four shall otherwise apply to the issue of such bonds, notes or scrip and to the establishment of a sinking fund for the payment thereof at maturity.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

Chap. 60 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES
OF THE HARBOR AND LAND COMMISSIONERS.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit :—

Harbor and land
commissioners.

For the salaries of the harbor and land commissioners, eighty-seven hundred dollars.

Clerical assistance,
etc.

For compensation and expenses of the engineer, and for clerical and other assistance authorized by the harbor

and land commissioners, a sum not exceeding fifteen thousand dollars.

For travelling and other necessary expenses of the harbor and land commissioners, a sum not exceeding seven hundred and fifty dollars. Travelling expenses, etc.

For incidental and contingent office expenses of the harbor and land commissioners, a sum not exceeding twelve hundred dollars. Office expenses.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT RELATIVE TO THE ISSUANCE OF STOCK BY THE OLD COLONY RAILROAD COMPANY. Chap. 61

Be it enacted, etc., as follows :

SECTION 1. The Old Colony Railroad Company is hereby authorized to issue the remainder of the stock authorized by chapter two hundred and twenty-three of the acts of the year eighteen hundred and eighty-nine, chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-two, and chapter one hundred and twenty-seven of the acts of the year eighteen hundred and ninety-three, for any lawful purpose, upon the approval of the board of railroad commissioners. The Old Colony Railroad Company may issue remainder of certain stock.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT TO AUTHORIZE THE TOWN OF NATICK TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR SCHOOL PURPOSES. Chap. 62

Be it enacted, etc., as follows :

SECTION 1. The town of Natick, for the purpose of acquiring land for two new schoolhouses and for erecting and furnishing the same, may incur indebtedness to an amount not exceeding fifty thousand dollars, and may from time to time issue negotiable bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear interest at a rate not exceeding four per cent per annum, and shall be signed by the treasurer and countersigned by the selectmen of the town. Said town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem May incur indebtedness beyond debt limit, issue bonds, etc.

Proviso.

proper: *provided*, that such securities shall not be sold or pledged for less than the par value thereof with accrued interest.

Not to be reckoned in determining debt limit.

SECTION 2. The indebtedness incurred under this act shall not be reckoned in determining the limit of indebtedness of the town of Natick under the provisions of section four of chapter twenty-nine of the Public Statutes and acts in amendment thereof.

P. S. 29, etc., to apply.

SECTION 3. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof shall apply to the issue of said bonds, notes or scrip.

SECTION 4. This act shall take effect upon its passage.

Approved February 13, 1900.

Chap. 63 AN ACT TO AUTHORIZE THE TOWN OF AMHERST TO REFUND A PORTION OF ITS DEBT.

Be it enacted, etc., as follows:

Amherst Town Hall Bonds, 1900.

SECTION 1. The town of Amherst, for the purpose of refunding that portion of its indebtedness at present existing as a town hall loan, may issue bonds to an amount not exceeding fifty thousand dollars, for the purpose of refunding an equal amount of said town hall bonds of said town, to be denominated, Amherst Town Hall Bonds, dated January 1, 1900, and issued in pursuance of a vote passed by the town on the sixth day of March in the year eighteen hundred and ninety-nine. The bonds issued under the provisions of this act shall be payable not more than twenty years from the date of issue and shall bear interest at a rate not exceeding four per cent per annum. They shall be signed by the selectmen and countersigned by the treasurer of the town and may be sold or negotiated at public or private sale, and the proceeds shall be used to refund the aforesaid indebtedness; but no purchaser shall be responsible for the application of the proceeds.

P. S. 29, etc., to apply.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall in all other respects, so far as applicable, apply to the indebtedness authorized by this act and the security issued hereunder.

SECTION 3. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT TO PROVIDE FOR THE PROTECTION OF MONGOLIAN, ENGLISH AND GOLDEN PHEASANTS. *Chap. 64*

Be it enacted, etc., as follows :

Whoever takes or kills, or has in his possession, except for purposes of propagation, any Mongolian, English or golden pheasant, at any time within five years from the passage of this act, shall be punished by a fine of twenty dollars for every bird so taken, killed or had in possession.

Protection of Mongolian, English and golden pheasants.

Approved February 13, 1900.

AN ACT MAKING AN APPROPRIATION FOR EXTERMINATING CONTAGIOUS DISEASES AMONG HORSES, CATTLE AND OTHER ANIMALS. *Chap. 65*

Be it enacted, etc., as follows :

SECTION 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for exterminating contagious diseases among horses, cattle and other animals, during the year ending on the thirty-first day of December in the year nineteen hundred.

Extermination of contagious diseases among animals.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AT THE MASSACHUSETTS HOSPITAL FOR DIPSO MANIACS AND INEBRIATES. *Chap. 66*

Be it enacted, etc., as follows :

SECTION 1. The sum of twenty-two thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for necessary expenses in excess of receipts, at the Massachusetts hospital for dipsomaniacs and inebriates during the year ending on the thirty-first day of December in the year nineteen hundred.

Massachusetts hospital for dipsomaniacs and inebriates.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT MAKING APPROPRIATIONS FOR SUNDRY CHARITABLE EXPENSES. *Chap. 67*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Com-

Appropriations.

monwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

STATE BOARD OF CHARITY.

State board of charity.	For travelling and other necessary expenses of the state board of charity, and for salary and expenses in the office of the clerk and auditor of said board, a sum not exceeding seven thousand dollars.
Adult poor.	For salaries and expenses in the division of state adult poor, a sum not exceeding thirty-seven thousand dollars.
Minor wards.	For salaries and expenses in the division of state minor wards, a sum not exceeding thirty-seven thousand dollars.
Auxiliary visitors.	For travelling and other necessary expenses of the auxiliary visitors of the state board of charity, a sum not exceeding fourteen hundred dollars.

MISCELLANEOUS CHARITABLE.

Transportation of state paupers.	For transportation of state paupers, under charge of the state board of charity, a sum not exceeding ten thousand dollars.
State insane paupers.	For the support and relief of state paupers in state hospitals and asylums for the insane, and for reimbursement of towns, for the present and previous years, a sum not exceeding two hundred and sixty thousand dollars.
Indigent and neglected children, etc.	For the care and maintenance of indigent and neglected children and juvenile offenders, a sum not exceeding one hundred and thirty-three thousand dollars.
Support of certain state paupers.	For the support of state paupers in the Massachusetts School for the Feeble-minded and in The Hospital Cottages for Children, a sum not exceeding eighteen thousand dollars.
Dangerous diseases.	For expenses in connection with smallpox and other diseases dangerous to the public health, for the present and previous years, a sum not exceeding three thousand dollars.
Instruction of certain children.	For instruction in the public schools in any city or town in the Commonwealth, of children boarded or bound out by the state board of charity, for the present and previous years, a sum not exceeding twelve thousand dollars.
Sick state paupers.	For the support of sick state paupers by cities and towns, for the present and previous years, the same to include cases of wife settlement, a sum not exceeding ninety-five thousand dollars.

For the burial of state paupers by cities and towns, for the present and previous years, a sum not exceeding ten thousand dollars. Burial of state paupers.

For temporary aid furnished by cities and towns to state paupers and shipwrecked seamen, for the present and previous years, a sum not exceeding thirty-seven thousand dollars. Temporary aid.

For the support and transportation of unsettled pauper infants in this Commonwealth, including infants in infant asylums, a sum not exceeding thirty-five thousand dollars. Unsettled pauper infants.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE PRISON AND HOSPITAL LOAN SINKING FUND. Chap. 68

Be it enacted, etc., as follows:

SECTION 1. The sum of eight thousand one hundred seventy-one dollars and twenty-eight cents is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Prison and Hospital Loan Sinking Fund, as provided for by chapters four hundred and eighty-three and five hundred and three of the acts of the year eighteen hundred and ninety-five, said sum being the estimate of the treasurer and receiver general. Prison and Hospital Loan Sinking Fund.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

AN ACT TO EXTEND THE PROVISIONS OF THE CIVIL SERVICE ACT TO THE POLICE AND FIRE FORCES OF THE TOWN OF MILTON. Chap. 69

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, entitled "An Act to improve the civil service of the Commonwealth and the cities thereof", and all acts in amendment thereof and in addition thereto, and the civil service rules thereunder which relate to the police and fire forces of cities of the Commonwealth other than the city of Boston, are hereby extended and made applicable to all members of the regular or permanent police force and to all members of the fire force of the town of Milton. Civil service act extended to police and fire forces of Milton.

SECTION 2. All members of said regular police and fire forces shall continue to hold their several offices until resignation or removal. Term of office of members.

Removals.

SECTION 3. No member of either of said forces shall be removed except for cause shown after a full hearing before the selectmen of said town, at which hearing the member in question shall have the right to be present and to be represented by counsel.

SECTION 4. This act shall take effect upon its passage.

Approved February 13, 1900.

Chap. 70 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE CIVIL SERVICE COMMISSIONERS.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Civil service commission. For the compensation and expenses of the members of the civil service commission, a sum not exceeding two thousand dollars.

Chief examiner. For the salary of the chief examiner of the civil service commission, three thousand dollars.

Secretary. For the salary of the secretary of the civil service commission, two thousand dollars.

Registrar of labor. For the salary of the registrar of labor of the civil service commission, two thousand dollars.

Expenses. For clerical assistance, and for office, printing, traveling and incidental expenses of the civil service commissioners, chief examiner and secretary, advertising and stationery, a sum not exceeding fourteen thousand five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 13, 1900.

Chap. 71 AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF PREMIUMS ON SECURITIES PURCHASED FOR THE MASSACHUSETTS SCHOOL FUND.

Be it enacted, etc., as follows:

Massachusetts School Fund.

SECTION 1. A sum not exceeding twenty-five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment by the treasurer and receiver general of premiums on securities purchased for the Massachusetts School

Fund, as provided for by chapter three hundred and thirty-five of the acts of the year eighteen hundred and ninety.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE RAILROAD COMMISSIONERS. Chap. 72

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

For the salaries of the railroad commissioners, eleven thousand dollars. Appropriations.
Railroad commissioners.

For the salary of the clerk of the railroad commissioners, twenty-five hundred dollars. Clerk.

For the salary of the assistant clerk of the railroad commissioners, a sum not exceeding twelve hundred dollars. Assistant clerk.

For the salary of the accountant of the railroad commissioners, twenty-five hundred dollars. Accountant.

For the salaries and expenses of the steam railroad inspectors, a sum not exceeding five thousand dollars. Railroad inspectors.

For the compensation of experts or other agents of the railroad commissioners, a sum not exceeding four thousand dollars. Experts, etc.

For rent, care of office, and salary of a messenger for the railroad commissioners, a sum not exceeding forty-three hundred and fifty dollars. Rent, messenger, etc.

For books, maps, statistics, stationery, and incidental and contingent expenses of the railroad commissioners, a sum not exceeding two thousand dollars. Stationery, etc.

For expenses in connection with taking evidence given at inquests on deaths by accident upon steam and street railroads, a sum not exceeding two thousand dollars. Evidence at inquests.

For stenographic reports of hearings, a sum not exceeding five hundred dollars. Reports of hearings.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 73 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN
THE OFFICE OF THE INSURANCE COMMISSIONER.

Be it enacted, etc., as follows:

- Appropriations.** SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —
- Insurance commissioner.** For the salary of the insurance commissioner, thirty-five hundred dollars.
- Deputy.** For the salary of the deputy insurance commissioner, twenty-five hundred dollars.
- Actuary.** For the salary of the actuary in the insurance department, two thousand dollars.
- Examiner.** For the salary of the examiner in the insurance department, two thousand dollars.
- Chief clerk.** For the salary of the chief clerk in the insurance department, two thousand dollars.
- Second clerk.** For the salary of the second clerk in the insurance department, fifteen hundred dollars.
- Third clerk.** For the salary of the third clerk in the insurance department, twelve hundred dollars.
- Additional clerks, etc.** For such additional clerks and assistants as the insurance commissioner may find necessary for the despatch of public business, a sum not exceeding twenty-three thousand three hundred dollars.
- Expenses.** For incidental and contingent expenses of the insurance commissioner, a sum not exceeding thirty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 74 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN
THE OFFICE OF THE STATE FIRE MARSHAL.

Be it enacted, etc., as follows:

- Appropriations.** SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —
- State fire marshal.** For the salary of the state fire marshal, forty-five hundred dollars.

For the salary of the deputy fire marshal, twenty-five Deputy.
hundred dollars.

For the salary of the clerk of the state fire marshal, four- Clerk.
teen hundred dollars.

For the salaries of the two stenographers in the office of Stenographers.
the state fire marshal, eleven hundred dollars each.

For the salaries of the two chiefs of aids in the office of Chiefs of aids.
the state fire marshal, twelve hundred dollars each.

For the salaries of the nine aids in the office of the state Aids and
fire marshal, one thousand dollars each; and for the salary messenger.
of a messenger, four hundred dollars.

For travelling, contingent and incidental expenses, the Travelling ex-
same to include the services and expenses of persons penses, etc.
employed in secret investigations under the direction of
the state fire marshal, and fees of witnesses, a sum not
exceeding ten thousand five hundred dollars.

For postage, printing, stationery, telephone, telegrams, Office expenses.
and incidental and contingent office expenses of the state
fire marshal, a sum not exceeding twenty-five hundred
dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT *Chap. 75*
THE STATE ALMSHOUSE.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, for the year ending on the thirty-first day of
December in the year nineteen hundred, to wit:—

For the payment of salaries and wages at the state alms- State
house, a sum not exceeding forty-one thousand dollars. almshouse.

For other current expenses at the state almshouse, a sum Expenses.
not exceeding one hundred and twenty-nine thousand
dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 76 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE STATE INDUSTRIAL SCHOOL FOR GIRLS.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

State Industrial school for girls. For salaries and wages at the state industrial school for girls, a sum not exceeding fifteen thousand five hundred dollars.

Expenses. For other current expenses at the state industrial school for girls, a sum not exceeding twenty-one thousand and seventy-five dollars.

Boarding out younger girls. For expenses in connection with boarding out younger girls from the state industrial school, to include boarding and other expenses for girls on probation, a sum not exceeding twenty-five hundred dollars.

Instruction of children boarded out, etc. For instruction in the public schools in any city or town in the Commonwealth of children boarded or bound out by the trustees of the Lyman and industrial schools, a sum not exceeding one hundred and twenty-five dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 77 AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AT THE MASSACHUSETTS HOSPITAL FOR EPILEPTICS.

Be it enacted, etc., as follows:

Massachusetts hospital for epileptics. SECTION 1. A sum not exceeding fifteen thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for current expenses at the Massachusetts hospital for epileptics during the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 78 AN ACT MAKING APPROPRIATIONS FOR DEFICIENCIES IN APPROPRIATIONS FOR CERTAIN EXPENSES AUTHORIZED IN THE YEAR EIGHTEEN HUNDRED AND NINETY-NINE.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Common-

wealth from the ordinary revenue, for certain expenses in excess of appropriations therefor in the year eighteen hundred and ninety-nine, to wit: —

For expenses at the state industrial school for girls, the sum of ninety-seven dollars and twenty-nine cents. State industrial school for girls.

For travelling and incidental expenses of the inspector of gas meters, and for additional apparatus, the sum of one hundred two dollars and ninety-seven cents. Inspector of gas meters.

For expenses of the railroad commissioners, the sum of one hundred forty-eight dollars and thirty-three cents. Railroad commissioners.

For office and other expenses of the inspector of gas meters, the sum of two hundred seventeen dollars and fifty cents. Inspector of gas meters.

For expenses of the commissioners on inland fisheries and game, the sum of three hundred thirty-four dollars and fifty-five cents. Commissioners on inland fisheries and game.

For tuition of children in small towns, the sum of seven hundred forty-five dollars and eighty-five cents. Tuition of children in small towns.

For incidental expenses in the office of the secretary of the Commonwealth, the sum of seven hundred fifty-two dollars and twenty cents. Secretary of the Commonwealth.

For incidental expenses in the office of the treasurer and receiver general, the sum of eight hundred forty-three dollars and forty-four cents. Treasurer and receiver general.

For expenses at the Lyman school for boys, the sum of fifteen hundred eighteen dollars and eight cents. Lyman school for boys.

For the education of deaf pupils, the sum of eighteen hundred ninety-one dollars and fourteen cents. Education of deaf pupils.

For the support of state paupers at the Massachusetts School for the Feeble-minded, the sum of twenty-eight hundred ninety-two dollars and seventy-six cents. Massachusetts School for the Feeble-minded.

For current expenses at the state farm, the sum of four thousand eight hundred forty-nine dollars and sixty-two cents. State farm.

For the support and relief of state insane persons in the hospitals and asylums of the Commonwealth, the sum of fifteen thousand seven hundred forty-six dollars and eighty-nine cents. Support, etc., of state insane persons.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 79 AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF BOUNTIES TO MASSACHUSETTS VOLUNTEERS.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, during the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Bounties to Massachusetts volunteers.

For the payment of bounties to Massachusetts volunteers, as authorized by chapter five hundred and twenty-five of the acts of the year eighteen hundred and ninety-eight, a sum not exceeding forty thousand dollars.

Payment of bounties.

For necessary expenses in carrying out the law relative to the payment of said bounties, a sum not exceeding twelve hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 80 AN ACT TO AUTHORIZE THE TOWN OF CLINTON TO REFUND CERTAIN INDEBTEDNESS.

Be it enacted, etc., as follows :

Clinton General Loan.

SECTION 1. The town of Clinton, for the purpose of refunding its note indebtedness, is authorized to issue notes, bonds or scrip to an amount not exceeding one hundred and seventy-five thousand dollars, to be denominated, Clinton General Loan. The same shall be payable at a time or times not exceeding thirty years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually, and shall be signed by the treasurer and countersigned by a majority of the selectmen. Said town may sell said notes, bonds or scrip at public or private sale, or use the same in payment of such debts : *provided, however*, that the same shall not be sold for less than the par value thereof.

Proviso.

Proceeds to be applied to payment of certain notes, etc.

SECTION 2. The proceeds, excepting premiums, from the sale of the notes, bonds or scrip issued by virtue of this act shall be applied by the treasurer of said town to the payment of the notes of the town outstanding July 1, 1900, exclusive of temporary loans made in anticipation of taxes ; but no purchaser thereof shall be responsible for the application of the proceeds. If this act is accepted the town shall provide for the establishment of a sinking fund

Sinking fund.

and the election of six commissioners of the sinking fund, and shall contribute to such fund from year to year an amount raised annually by taxation sufficient with the accumulations thereof to extinguish the debt at maturity. The premiums, if any, received from the sale of the bonds shall also be placed in the sinking fund. The sinking fund shall not be used for any other purpose than the payment and redemption of said debt. The provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof shall, except as herein otherwise provided, apply to the indebtedness authorized by this act.

P. B. 29, etc., to apply.

SECTION 3. This act shall take effect upon its acceptance by a two thirds vote of the voters of said town present and voting thereon at a legal meeting called for that purpose within one year from the passage hereof.

When to take effect.

Approved February 14, 1900.

AN ACT TO INCORPORATE THE EAST GLOUCESTER FERRY COMPANY. *Chap. 81*

Be it enacted, etc., as follows :

SECTION 1. Charles H. Boynton, Mary E. Cunningham, David S. Presson, George A. Davis, William D. Langsford, Adam P. Stoddart, John A. Stoddart, Rhoda Tarr, James H. Tarr, Gardner W. Tarr and Margaret McDonald, their associates and successors, are hereby made a corporation by the name of the East Gloucester Ferry Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in the general laws which now are or hereafter may be in force relating to such corporations.

East Gloucester Ferry Company incorporated.

SECTION 2. Said corporation is hereby authorized and empowered to build, purchase, charter, hold and convey one or more steamboats or steam propellers, and to employ the same in the business of transporting passengers and freight between the city of Gloucester and East Gloucester and Rocky Neck, so-called.

May build steamboats, etc., transport passengers, etc.

SECTION 3. The capital stock of said corporation shall not exceed ten thousand dollars, and shall be divided into shares of the par value of one hundred dollars each. No certificate of stock shall be issued until the par value thereof shall have been actually paid in, and no business shall be transacted by said corporation until at least twenty-five hundred dollars of its capital stock shall have been subscribed and paid for.

Capital stock.

Chap. 79 AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF BOUNTIES
TO MASSACHUSETTS VOLUNTEERS.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, during the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

**Bounties to
Massachusetts
volunteers.**

For the payment of bounties to Massachusetts volunteers, as authorized by chapter five hundred and twenty-five of the acts of the year eighteen hundred and ninety-eight, a sum not exceeding forty thousand dollars.

**Payment of
bounties.**

For necessary expenses in carrying out the law relative to the payment of said bounties, a sum not exceeding twelve hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 80 AN ACT TO AUTHORIZE THE TOWN OF CLINTON TO REFUND CERTAIN
INDEBTEDNESS.

Be it enacted, etc., as follows:

**Clinton General
Loan.**

SECTION 1. The town of Clinton, for the purpose of refunding its note indebtedness, is authorized to issue notes, bonds or scrip to an amount not exceeding one hundred and seventy-five thousand dollars, to be denominated, Clinton General Loan. The same shall be payable at a time or times not exceeding thirty years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually, and shall be signed by the treasurer and countersigned by a majority of the selectmen. Said town may sell said notes, bonds or scrip at public or private sale, or use the same in payment of such debts: *provided, however*, that the same shall not be sold for less than the par value thereof.

Proviso.

**Proceeds to be
applied to pay-
ment of certain
notes, etc.**

SECTION 2. The proceeds, excepting premiums, from the sale of the notes, bonds or scrip issued by virtue of this act shall be applied by the treasurer of said town to the payment of the notes of the town outstanding July 1, 1900, exclusive of temporary loans made in anticipation of taxes; but no purchaser thereof shall be responsible for the application of the proceeds. If this act is accepted the town shall provide for the establishment of a sinking fund

Sinking fund.

and the election of six commissioners of the sinking fund, and shall contribute to such fund from year to year an amount raised annually by taxation sufficient with the accumulations thereof to extinguish the debt at maturity. The premiums, if any, received from the sale of the bonds shall also be placed in the sinking fund. The sinking fund shall not be used for any other purpose than the payment and redemption of said debt. The provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof shall, except as herein otherwise provided, apply to the indebtedness authorized by this act.

P. S. 29, etc., to apply.

SECTION 3. This act shall take effect upon its acceptance by a two thirds vote of the voters of said town present and voting thereon at a legal meeting called for that purpose within one year from the passage hereof.

When to take effect.

Approved February 14, 1900.

AN ACT TO INCORPORATE THE EAST GLOUCESTER FERRY COMPANY. *Chap. 81*

Be it enacted, etc., as follows :

SECTION 1. Charles H. Boynton, Mary E. Cunningham, David S. Presson, George A. Davis, William D. Langsford, Adam P. Stoddart, John A. Stoddart, Rhoda Tarr, James H. Tarr, Gardner W. Tarr and Margaret McDonald, their associates and successors, are hereby made a corporation by the name of the East Gloucester Ferry Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in the general laws which now are or hereafter may be in force relating to such corporations.

East Gloucester Ferry Company incorporated.

SECTION 2. Said corporation is hereby authorized and empowered to build, purchase, charter, hold and convey one or more steamboats or steam propellers, and to employ the same in the business of transporting passengers and freight between the city of Gloucester and East Gloucester and Rocky Neck, so-called.

May build steamboats, etc., transport passengers, etc.

SECTION 3. The capital stock of said corporation shall not exceed ten thousand dollars, and shall be divided into shares of the par value of one hundred dollars each. No certificate of stock shall be issued until the par value thereof shall have been actually paid in, and no business shall be transacted by said corporation until at least twenty-five hundred dollars of its capital stock shall have been subscribed and paid for.

Capital stock.

To be void
unless certain
conditions are
complied with.

SECTION 4. If said corporation shall not within one year from the passage hereof have been organized and have had paid into its treasury a sum not less than thirty-five hundred dollars in cash, and shall not within two years from the passage of this act have one or more steamboats or steam propellers employed in the transportation of passengers and freight between Gloucester and East Gloucester and Rocky Neck, or if said corporation shall thereafter fail for the period of one year so to employ one or more steamboats or steam propellers in said business, then this act shall be null and void. *Approved February 14, 1900.*

Chap. 82 AN ACT TO AUTHORIZE THE TOWN OF WINCHESTER TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Winchester
Water Fund
Bonds.

SECTION 1. The town of Winchester is hereby authorized to issue notes or bonds from time to time as it may deem necessary, to an amount not exceeding fifty thousand dollars in addition to the amounts already authorized to be issued for water purposes, upon the conditions and in the manner set forth in chapter two hundred and sixty-five of the acts of the year eighteen hundred and seventy-two, as modified by chapter four hundred and thirteen of the acts of the year eighteen hundred and ninety, the same to be denominated, Winchester Water Fund Bonds, and to be payable at periods of not more than thirty years from their respective dates. Of the proceeds of the notes or bonds hereby authorized to be issued ten thousand dollars may be used to pay an equal amount of Winchester water fund bonds maturing December first of the current year; ten thousand dollars may be used to pay an equal amount of Winchester water fund bonds maturing May first nineteen hundred and five; and the remaining proceeds of said issue hereby authorized shall be used by said town for the purpose of completing and renewing its water system and supplying said town with water.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 83 AN ACT TO INCORPORATE THE CITY TRUST COMPANY.

Be it enacted, etc., as follows:

City Trust
Company
Incorporated.

SECTION 1. Charles F. Adams, Second, Gordon Dexter, Frederic J. Bradlee, Reginald Gray, Henry P. King,

George S. Mumford and Richard M. Saltonstall, their associates and successors, are hereby made a corporation by the name of the City Trust Company, with authority to establish and maintain a safe deposit, loan and trust company in the city of Boston; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or hereafter may be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

AN ACT TO EXTEND THE TIME FOR FILING PETITIONS FOR THE ASSESSMENT OF DAMAGES ACCRUING FROM THE ALTERATIONS OF THE GRADE CROSSING OF DORCHESTER AVENUE AND THE OLD COLONY RAILROAD IN THE CITY OF BOSTON.

Chap. 84

Be it enacted, etc., as follows:

SECTION 1. The time within which any person may file his petition in the superior court for damages accruing from any change of grade of streets in connection with the abolition of the grade crossing of Dorchester avenue and the Old Colony railroad, under the provisions of chapter five hundred and nineteen of the acts of the year eighteen hundred and ninety-seven, is hereby extended to the first day of July in the year nineteen hundred; and all petitions filed prior to that date although filed prior to the passage of this act shall be deemed duly filed. But interest shall not be reckoned upon damages in such cases before the petition is filed.

Time for filing petitions for assessment of certain damages extended.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF THE TUITION OF CHILDREN ATTENDING SCHOOL OUTSIDE OF THE TOWN IN WHICH THEY RESIDE.

Chap. 85

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding ten thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of the tuition of children of any town in which a high school or school of corresponding grade is not maintained, who may attend a high school outside the town in which they reside.

Tuition of certain children.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 86 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE STATE FARM.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

State farm. For the payment of salaries and wages at the state farm, a sum not exceeding forty-two thousand dollars.

Expenses. For other current expenses at the state farm, a sum not exceeding one hundred and nine thousand five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 87 AN ACT MAKING APPROPRIATIONS FOR SUNDRY EDUCATIONAL EXPENSES.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, except as herein otherwise provided, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

State board of education, secretary. For the salary and expenses of the secretary of the state board of education, forty-five hundred dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

Clerical and messenger service. For clerical and messenger service for the state board of education, a sum not exceeding two thousand dollars.

Agents. For the salaries and expenses of agents of the state board of education, a sum not exceeding twelve thousand seven hundred and fifty dollars.

Expenses. For incidental and contingent expenses of the state board of education and of the secretary thereof, a sum not exceeding two thousand dollars.

Expenses of members of board. For travelling and other expenses of the members of the state board of education, a sum not exceeding one thousand dollars.

State normal schools. For the support of state normal schools, including the employment of accountants, and certain other expenses

of the boarding houses at Bridgewater, Framingham and Westfield, a sum not exceeding two hundred forty-eight thousand five hundred and sixteen dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, the excess, if any, to be paid from the treasury of the Commonwealth.

For the support of the state normal art school, a sum not exceeding twenty-four thousand one hundred and thirty-six dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, the excess, if any, to be paid from the treasury of the Commonwealth.

State normal art school.

For the expenses of teachers' institutes, a sum not exceeding two thousand dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

Teachers' institutes.

For the Massachusetts Teachers' Association, the sum of three hundred dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, subject to the approval of the state board of education.

Massachusetts Teachers' Association.

For the expenses of county teachers' associations, a sum not exceeding three hundred and twenty-five dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

County teachers' associations.

For the Dukes County Educational Association, the sum of fifty dollars.

Dukes County Educational Association.

For aid to pupils in state normal schools, a sum not exceeding four thousand dollars, payable in semi-annual instalments, to be expended under the direction of the state board of education.

Aid to pupils in state normal schools.

To enable small towns to provide themselves with school superintendents, a sum not exceeding sixty-five thousand dollars.

School superintendents in small towns.

For the education of deaf pupils of the Commonwealth in the schools designated by law, a sum not exceeding sixty-three thousand dollars.

Education of deaf pupils.

For expenses of the examination and certification of school teachers by state authority, a sum not exceeding five hundred dollars.

Examination and certification of school teachers.

For school registers and other school blanks for the towns and cities of the Commonwealth, a sum not exceeding one thousand dollars.

School blanks.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 88 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE STATE BOARD OF INSANITY.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit :—

State board of insanity. For travelling and office expenses of the state board of insanity, a sum not exceeding five thousand dollars.

Officers and employees. For salaries of officers and employees of the state board of insanity, a sum not exceeding twelve thousand nine hundred dollars.

Transportation, etc., of state paupers. For transportation and medical examination of state paupers, under the charge of the state board of insanity, twelve thousand dollars.

Support of certain insane paupers. For the support of insane paupers boarded out in families, under the charge of the state board of insanity, seven thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1900.

Chap. 89 AN ACT TO AUTHORIZE THE TOWN OF LEXINGTON TO APPROPRIATE MONEY FOR THE CELEBRATION OF THE ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE BATTLE OF LEXINGTON, AND TO APPROPRIATE ANNUALLY MONEY FOR THE CELEBRATION OF THE NINETEENTH DAY OF APRIL.

Be it enacted, etc., as follows :

Town of Lexington may appropriate money for celebrations. SECTION 1. The town of Lexington may at any legally warned meeting appropriate a sum of money not exceeding one thousand dollars, for the purpose of celebrating the one hundred and twenty-fifth anniversary of the battle of Lexington; and may annually thereafter appropriate for the celebration of the nineteenth day of April a sum of money not exceeding five one thousandths of one per cent of the last preceding valuation for the assessment of taxes in said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1900.

AN ACT TO AUTHORIZE THE TOWN OF CONCORD TO APPROPRIATE
MONEY FOR THE CELEBRATION OF THE ONE HUNDRED AND TWENTY-
FIFTH ANNIVERSARY OF THE CONCORD FIGHT. *Chap. 90*

Be it enacted, etc., as follows :

SECTION 1. The town of Concord is hereby authorized to raise and appropriate money for the celebration of the one hundred and twenty-fifth anniversary of the Concord fight. Town of Concord may appropriate money for a celebration.

SECTION 2. The town of Concord is hereby authorized to raise and appropriate money to procure some permanent memorial of the Concord fight for the one hundred and twenty-fifth anniversary of the event. May appropriate money for memorial of Concord fight.

SECTION 3. This act shall take effect upon its passage.

Approved February 15, 1900.

AN ACT TO AUTHORIZE THE TOWN OF ARLINGTON TO APPROPRIATE
MONEY FOR THE CELEBRATION OF THE NINETEENTH DAY OF APRIL
AND THE FOURTH DAY OF JULY. *Chap. 91*

Be it enacted, etc., as follows :

SECTION 1. The town of Arlington may at any legally warned meeting appropriate such sum as it deems necessary, for the proper celebration of the nineteenth day of April and the fourth day of July : *provided*, that such sum shall not exceed in any one year five one thousandths of one per cent of the last preceding valuation for the assessment of taxes in said town. Town of Arlington may appropriate money for a celebration. Provide.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1900.

AN ACT TO AUTHORIZE BURGLARY AND THEFT INSURANCE COMPANIES TO DO BUSINESS IN THIS COMMONWEALTH. *Chap. 92*

Be it enacted, etc., as follows :

SECTION 1. Section twenty-nine of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four, as amended by section one of chapter four hundred and seventy-four of the acts of the year eighteen hundred and ninety-five, and by section one of chapter four hundred and forty-seven of the acts of the year eighteen hundred and ninety-six, is hereby amended by adding at the end of said section the words : — Tenth, To carry on the business of insuring individuals, firms and 1894, 522, § 29, etc., amended.

Purposes for which insurance companies may be formed.	corporations, against loss or damage by burglary, theft or housebreaking, — so as to read as follows: — <i>Section 29.</i> Insurance companies may be formed as provided in section thirty for any one of the following purposes, to wit: —
Loss by fire, etc.	First, To insure against loss or damage to property by fire, lightning, or tempest on land, upon the stock or mutual plan.
Loss by perils of the sea, etc.	Second, To insure upon the stock or mutual plan, vessels, freights, goods, money, effects, and money lent on bottomry or respondentia, against the perils of the sea and other perils usually insured against by marine insurance, including risks of inland navigation and transportation.
Guaranty of fidelity, etc.	Third, To guarantee the fidelity of persons in positions of trust, private or public, and to act as surety on official bonds and for the performance of other obligations.
Damage by boiler explosions.	Fourth, To insure against loss or damage to property of the assured, or loss or damage to the life, person or property of another for which the assured is liable, caused by the explosion of steam boilers.
Accident to persons.	Fifth, To insure any person against bodily injury or death by accident, or any person, firm or corporation against loss or damage on account of the bodily injury or death by accident of any person for which loss or damage said person, firm or corporation is responsible.
Breakage of plate glass.	Sixth, To insure against the breakage of plate glass, local or in transit.
Damage by water.	Seventh, To insure against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers and water pipes.
Damage from accidents to elevators, etc.	Eighth, To insure against loss or damage to property arising from accidents to elevators, bicycles and vehicles, except rolling stock of railways.
Damage from failure of persons to meet their liabilities.	Ninth, To carry on the business commonly known as credit insurance or guaranty, either by agreeing to purchase uncollectible debts, or otherwise to insure against loss or damage from the failure of persons indebted to the assured to meet their liabilities.
Loss or damage by burglary, etc.	Tenth, To carry on the business of insuring individuals, firms and corporations, against loss or damage by burglary, theft or housebreaking.
1894, 522, § 31, etc., amended.	SECTION 2. Section thirty-one of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four, as amended by section two of chapter four hundred and seventy-four of the acts of the year eighteen hundred and ninety-five, and by section two of chapter four

hundred and forty-seven of the acts of the year eighteen hundred and ninety-six, is hereby amended by striking out the words "or ninth", in the eleventh line, and inserting in place thereof the words: — ninth or tenth, — so as to read as follows: — *Section 31.* No corporation so formed shall transact any other business than that specified in its charter and articles of association. Companies to insure plate glass may organize with a capital of not less than one hundred thousand dollars. Companies so formed insuring marine or inland risks upon the stock plan shall have a capital of not less than three hundred thousand dollars. Companies so formed for the transaction of fire insurance on the stock plan, of fidelity insurance, of accident insurance, of steam boiler insurance, or for the transaction of the business authorized under the seventh, eighth, ninth or tenth paragraph of section twenty-nine of this act shall have a capital of not less than two hundred thousand dollars. Companies may be so formed to insure mechanics' tools and apparatus against loss by fire for an amount not exceeding two hundred and fifty dollars in a single risk, with a capital of not less than twenty-five thousand dollars, divided into shares of the par value of ten dollars each.

To transact only business specified in charter.

Minimum capital of stock companies.

Mutual companies heretofore organized to transact employers' liability insurance may continue such business under the fifth paragraph of section twenty-nine of this act, and such companies shall be subject to the laws, so far as applicable, in relation to mutual fire insurance companies. No company shall be required to have on deposit with the treasurer of the Commonwealth an amount in excess of what is sufficient to enable it to comply with the laws of the states in which it transacts business; and all sums in excess of this amount held on deposit with the treasurer of the Commonwealth or elsewhere shall be counted as of the surplus funds of the company.

Certain mutual companies may continue business of employers' liability insurance, etc.

SECTION 3. This act shall take effect upon its passage.

Approved February 16, 1900.

AN ACT TO AUTHORIZE THE OLD COLONY TRUST COMPANY TO HOLD REAL ESTATE.

Chap. 93

Be it enacted, etc., as follows:

SECTION 1. The Old Colony Trust Company, incorporated by chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety, is hereby

May hold certain real estate.

authorized to invest its surplus to an amount not exceeding one million dollars in real estate in the city of Boston suitable for the transaction of its business.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1900.

Chap. 94 AN ACT MAKING APPROPRIATIONS FOR EXPENSES OF THE COURT OF REGISTRATION.

Be it enacted, etc., as follows :

- Appropriations.** SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —
- Court of registration, judge.** For the salary of the judge of the court of registration, four thousand five hundred dollars.
- Assistant judge.** For the salary of the assistant judge of the court of registration, four thousand dollars.
- Recorder.** For the salary of the recorder of the court of registration, four thousand five hundred dollars.
- Assistance in land office.** For assistance in the land office of the court of registration, a sum not exceeding four thousand dollars.
- Incidental expenses.** For sheriffs' bills, advertising, surveying, and sundry incidental expenses, a sum not exceeding four thousand dollars.
- Expenses of examining titles.** For the expense of examining titles, a sum not exceeding ten thousand dollars.
- SECTION 2. This act shall take effect upon its passage.
- Approved February 20, 1900.*

Chap. 95 AN ACT TO PROVIDE FOR THE APPOINTMENT OF A RESERVE POLICE FORCE IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows :

- Reserve police force, appointment, etc.** SECTION 1. The board of police for the city of Fall River may from time to time, as authorized by said city and under such rules as the civil service commissioners of the Commonwealth prescribe, appoint suitable persons to constitute a reserve police force for said city, who shall be subject to such rules and regulations as the board of police may prescribe, and who may be removed by said board for any reason satisfactory to it. Said board of police may assign the members of said reserve police force .

to duty in said city whenever and for such time as it shall deem necessary, and when on duty they shall have and exercise all the powers and duties held and exercised by the police of said city.

SECTION 2. All appointments upon the regular police force of said city shall be made from the reserve police force, under such rules as the civil service commissioners of the Commonwealth may prescribe; and service on the reserve police force for not less than six months shall be deemed to be equivalent to the probationary period now required by the rules of said commissioners.

Appointments upon regular police force.

SECTION 3. The members of the reserve police force shall when on duty be paid by the city of Fall River such compensation, not exceeding two dollars and fifty cents a day, as the board of police may prescribe.

Compensation of members of reserve police force.

SECTION 4. This act shall take effect upon its passage.

Approved February 20, 1900.

AN ACT TO AUTHORIZE THE COMMERCIAL WHARF COMPANY TO HOLD
ADDITIONAL REAL ESTATE.

Chap. 96

Be it enacted, etc., as follows:

SECTION 1. The Commercial Wharf Company, incorporated by chapter fifty-one of the acts of the year eighteen hundred and thirty-two, and its successors, are hereby authorized to acquire and hold in fee simple, leasehold or otherwise, any or all of the real estate, wharves, docks and other structures situated east of Atlantic avenue in Boston between the land, wharf and flats of the Lewis Wharf Corporation and the land, wharf and flats of the owners of T wharf, so-called, and further to acquire and hold all the rights, easements, privileges and appurtenances belonging to or which may be used in connection with such real estate, wharves, docks and other structures.

The Commercial Wharf Company may acquire and hold certain real estate, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1900.

AN ACT TO CHANGE THE NAME OF THE UNION LOAN AND TRUST
COMPANY.

Chap. 97

Be it enacted, etc., as follows:

The name of the Union Loan and Trust Company is hereby changed to the Union Trust Company.

Name changed.

Approved February 20, 1900.

Chap. 98 AN ACT TO INCORPORATE THE TEMPLETON VILLAGE IMPROVEMENT SOCIETY.

Be it enacted, etc., as follows:

Templeton Village Improvement Society incorporated.

SECTION 1. S. Elliott Greenwood, George H. Hawkes, Grace E. Blodgett, J. Orville Winch, John M. W. Pratt, Charles H. Lane, Gabriel B. Kambour, Charlotte E. Greenwood, Percival Blodgett, Robert M. Cobleigh, Moses Leland, Lizzie L. Parkhurst, George P. Hawkes, Edward F. Scollay, Joel F. Dudley, Hosea F. Lane, Louis E. Cobleigh, Anna W. Batchelder, Nancy Briggs, Charles G. Roundy, William E. Parker, Charlotte M. Davis, Arthur L. Hawkes, Mary A. J. Hoyt, Arthur F. Lamb, John Brooks, Junior, Helen P. Kambour, Lorenzo A. Manning, Mary J. Work, James M. Maynard, Almira J. Parkhurst, Charles G. Davis, Vernon W. Miles, Adelaide B. Howland, George W. Bowen, George F. Lord, J. Flood Chamberlin, Eugene Lincoln, Ella C. Baker, Lucien N. Hadley, Frank E. Johnson, Charles H. May, Charles W. Stone, Olive E. Cobleigh, Isaac Brown, Mary W. Stone, Josephine C. Roundy, William L. Stinson and Maria Cutting, their associates and successors, are hereby made a corporation by the name of the Templeton Village Improvement Society, for the purpose of constructing, repairing and maintaining sidewalks and crossings in the public streets, planting and protecting trees by the roadsides, ornamenting and caring for public grounds and parks in the town of Templeton, under the direction and subject to the approval of the selectmen of said town; with power to hold, maintain, improve and ornament any park, grove or other lands in said town of which said corporation may become possessed by purchase, gift or otherwise; also to preserve natural scenery, curiosities and places of historic interest, and for any other public objects for the improvement of said town, with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws not inconsistent with this act which now are or hereafter may be in force applicable to such corporations.

Membership.

SECTION 2. Said corporation shall consist of not less than forty members, three fourths at least of whom shall be residents of the town of Templeton.

SECTION 3. The management and control of the property and affairs of said corporation, subject to its by-laws, shall be vested in a board of twelve trustees, who shall be elected, four each year, for the term of three years : *provided, however*, that at the first election four trustees shall be elected for one year, four for two years and four for three years. Said trustees shall elect annually from their number a president, treasurer and clerk, who shall serve until their successors are elected and qualified. The treasurer shall give such bonds as the trustees direct. A vacancy on the board of trustees from any cause may be filled at any regular or special meeting of the corporation ; and a vacancy in the office of president, treasurer or clerk may be filled at any regular meeting of the trustees, or at any special meeting if notice of said election shall have been given. In the choice of members of the corporation and of the board of trustees, or of the above named officers, no distinction shall be made on account of sex.

Trustees, election, term, etc.

Proviso.

Vacancy.

SECTION 4. Said corporation may adopt such by-laws as it deems best for carrying out the purposes of its organization, and said board of trustees may make such by-laws for their government as they see fit, provided such by-laws contain nothing inconsistent with the provisions of law or of this act.

By-laws.

SECTION 5. Said corporation may obtain by purchase, gift or otherwise, lands in the town of Templeton not exceeding one hundred acres in extent, and may hold, develop and administer the same for park and pleasure purposes, the public to have free access to said lands and parks under reasonable regulations approved by the selectmen of said town.

May hold certain lands for park purposes, etc.

SECTION 6. Said corporation may receive and hold for the purposes mentioned in this act any grants, gifts or bequests, under such conditions and rules as may be prescribed in such grants, gifts and bequests, if not inconsistent with the provisions of law or of this act ; and in the absence of conditions attached to any such grant, gift or bequest, all funds thus received shall be held in trust, the income only to be expended for the general purposes of the corporation as before mentioned ; and such grants, gifts or bequests, whether in real estate or personal property, not exceeding fifty thousand dollars in value, in addition to the one hundred acres of land before men-

Grants, bequests, etc.

Proviso. tioned, shall be exempt from taxation so long as they are administered for the public purposes herein set forth : *provided, however,* that any real estate so held by said corporation outside the limits of the town of Templeton shall not be exempt under this act.

Town may appropriate money, etc. SECTION 7. The town of Templeton is hereby authorized to appropriate and pay money to said corporation for the general purposes thereof, or for any specific purposes which may be designated, and said corporation shall receive and use the same in accordance with this act or with such designation.

Treasurer to file copy of report. SECTION 8. The treasurer of the corporation shall in the month of January in each year file with the selectmen of the town a copy of his report showing the purposes for which such town appropriations were expended during the preceding year.

SECTION 9. This act shall take effect upon its passage.

Approved February 20, 1900.

Chap. 99 AN ACT TO INCORPORATE THE MANUFACTURERS MUTUAL CASUALTY COMPANY.

Be it enacted, etc., as follows :

Manufacturers Mutual Casualty Company incorporated. SECTION 1. William B. Plunkett, Oscar H. Sampson, Benjamin F. Peach, Peter H. Corr, Martin V. B. Jefferson, Patrick A. Collins, Ellery I. Garfield, Charles C. Fry, Sumner C. Stanley, Charles W. Arnold, John W. Corcoran, William B. Sullivan, Charles R. Tapley, William J. Corbett, Alexander S. Paton, William L. Douglass and Harry E. Converse, their associates, successors and assigns, are hereby made a corporation by the name of Manufacturers Mutual Casualty Company, to be located in the city of Boston, for the purpose and with the power of insuring persons against loss from claims for personal injuries or death.

Premiums, etc. SECTION 2. Said company shall charge and collect upon its policies a full mutual premium in cash or notes absolutely payable, and may in its by-laws and policies fix the contingent mutual liability of its members for the payment of losses and expenses not provided for by its cash fund : *provided,* that such contingent liability of a member shall not be less than a sum equal to and in addition to the cash premium written in its policy. The total amount of the liability of the policy holder shall

Proviso.

be plainly and legibly stated upon the back of each policy.

SECTION 3. No policy shall be issued by said company until insurance therein shall have been subscribed for and entered upon its books from which the aggregate amount of the cash premium shall be not less than twenty-five thousand dollars.

When policies may issue.

SECTION 4. Corporations may effect insurance in said company and assume the liabilities incident thereto.

Corporations may effect insurance in company, etc.
To be subject to certain provisions of law, etc.

SECTION 5. Said company shall, except as herein otherwise provided, be organized under and subject to the provisions of the general law concerning mutual fire insurance companies; and shall have and may exercise all the powers, rights and privileges, and shall be subject to all the duties, liabilities and requirements under the general law applicable to mutual fire insurance companies.

SECTION 6. This act shall take effect upon its passage.

Approved February 21, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS HOSPITAL FOR CONSUMPTIVES AND TUBERCULAR PATIENTS.

Chap. 100

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Appropriations.

For the care and maintenance of the Massachusetts hospital for consumptives and tubercular patients, a sum not exceeding sixty thousand dollars.

Massachusetts hospital for consumptives and tubercular patients.

For the payment of bills incurred in excess of the appropriation therefor during the year eighteen hundred and ninety-nine, made necessary on account of free beds, a sum not exceeding twelve thousand dollars.

Deficiency incurred on account of free beds.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1900.

AN ACT TO AUTHORIZE THE LEASING OF TISBURY GREAT POND BY THE COMMISSIONERS ON INLAND FISHERIES AND GAME

Chap. 101

Be it enacted, etc., as follows:

SECTION 1. The commissioners on inland fisheries and game, or any two of them, may in the name of the

Tisbury Great Pond may be leased.

- Commonwealth lease, for a term not exceeding eleven years, the pond known as Tisbury Great Pond, in the county of Dukes County, with the arms, coves and bays connected therewith, for the purpose of cultivating useful fishes, for such periods of time and on such terms and conditions as may seem to them most for the public good : *provided*, that nothing herein shall affect the right of any citizen of the Commonwealth to take fish in said pond or in the waters connected therewith, by hook and line, according to the laws now or hereafter in force relating to the taking of fish by hook and line.
- Proviso.** SECTION 2. Before making such lease the commissioners shall appoint a time and place for a hearing upon the application therefor, and shall give notice of the hearing to every town within the limits of which any part of said pond lies.
- Time and place of hearing to be appointed, etc.**
- Rental of pond, etc.** SECTION 3. The rental of said pond, arms, bays and coves shall be one hundred and twenty-five dollars a year, payable by the lessees thereof on the first day of March annually to the treasurers of the towns of West Tisbury and Chilmark, one half part to each.
- Any one of certain towns may take lease, etc.** SECTION 4. Any town within the limits of which any part of said pond lies may, for the purpose of cultivating useful fishes, take a lease of said pond, and appropriate money therefor, at the rental aforesaid and upon such conditions as may be agreed upon by such town and the aforesaid commissioners, provided that the said pond is not already leased.
- Limits of pond, etc., may be fixed, etc.** SECTION 5. The commissioners may fix the limits of the said pond and the arms, coves and bays connected therewith; which limits, being recorded in the registry of deeds for said county, shall be taken to be the legal limits thereof for all the purposes of this act.
- Custody of leases, enforcement of conditions, etc.** SECTION 6. The commissioners shall have the custody of all such leases, and may cause any agreements, rights, reservations, forfeitures and conditions therein contained to be enforced, and for that purpose may institute proceedings in the name of the Commonwealth, and may take possession of any premises for breach of condition of such lease, and after revesting the Commonwealth therewith may again lease the same.

SECTION 7. This act shall take effect upon its passage.

Approved February 21, 1900.

AN ACT RELATIVE TO THE BURIAL OF THE DEPENDENT MOTHERS *Chap.102*
OF INDIGENT SOLDIERS, SAILORS AND MARINES.

Be it enacted, etc., as follows :

SECTION 1. Section one of chapter two hundred and seventy-nine of the acts of the year eighteen hundred and ninety-six, as amended by section one of chapter one hundred and sixty-four of the acts of the year eighteen hundred and ninety-seven, is hereby amended by inserting after the word "widows", in lines eleven and thirteen, the words : — or dependent mothers, — so as to read as follows : — *Section 1.* It shall be the duty of the mayor of each city and of the selectmen of each town of the Commonwealth to designate some suitable person or persons as a burial agent, who shall serve without compensation, and shall be other than the overseers of the poor or those employed by them, whose duty it shall be, under regulations established by the commissioners of state aid, to cause to be properly interred the body of any honorably discharged soldier, sailor or marine who served in the army or navy of the United States during the war of the rebellion, and the wives and widows or dependent mothers of the same in case such soldier, sailor or marine or such wives or widows or dependent mothers die without leaving sufficient means to defray funeral expenses : *provided, however,* that no wife or widow of any soldier, sailor or marine above described shall be eligible to receive the benefits of this act unless she was married to him prior to the year eighteen hundred and seventy. Where an interment has taken place without the knowledge of the burial agent application may be made to him within one week from the date of death, and if upon investigation he shall find that the deceased was eligible under the law and the rules of the commissioners of state aid to receive the benefits of this act he may make return of the same in the manner prescribed for other cases.

1896, 279, § 1,
etc., amended.

Burial of
deceased indigent soldiers,
etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved February 23, 1900.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT *Chap.103*
THE LYMAN SCHOOL FOR BOYS.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Com-

Appropriations.

monwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit:—

Lyman school
for boys.

For the payment of salaries and wages at the Lyman school for boys, a sum not exceeding twenty-eight thousand three hundred dollars.

Expenses.

For other current expenses at the Lyman school for boys, a sum not exceeding forty-one thousand five hundred and thirty-five dollars.

Agents.

For salaries and expenses of such agents as the trustees of the Lyman and industrial schools may deem necessary to employ, a sum not exceeding seven thousand five hundred dollars.

Boarding out
children.

For expenses in connection with boarding out children by the trustees of the Lyman and industrial schools, a sum not exceeding five thousand five hundred dollars.

Instruction of
certain children.

For the instruction in the public schools in any city or town in the Commonwealth of children boarded or bound out by the trustees of the Lyman and industrial schools, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 23, 1900.

Chap. 104 AN ACT TO EXEMPT THE TOWN OF HARVARD FROM MAINTAINING A HIGH SCHOOL OR PAYING THE TUITION OF ITS SCHOLARS IN OTHER TOWNS OR CITIES.

Be it enacted, etc., as follows:

Tuition of
certain pupils in
the town of
Harvard.

SECTION 1. So long as there shall be provided in the Bromfield school in the town of Harvard free instruction satisfactory to a majority of the school committee of said town in all branches required by law to be taught in a high school, for all pupils living in said town of Harvard who may wish to attend said school, said town shall be exempt from all provisions of law now or hereafter in force requiring it to maintain a high school or to pay the tuition of pupils living in said town and attending a high school in another town or city: *provided*, that nothing in this act shall relieve the town of Harvard from its obligation under existing or future laws to furnish free text books and supplies to pupils attending said Bromfield school.

Proviso.

When to take
effect.

SECTION 2. This act shall take effect upon its acceptance by the town of Harvard at a legal town meeting of said town.

Approved February 23, 1900.

AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO ISSUE ADDITIONAL *Chap.105*
WATER BONDS.

Be it enacted, etc., as follows:

SECTION 1. The city of Taunton, for the purposes Taunton Water Loan. mentioned in section five of chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five and acts in addition thereto, may issue from time to time notes, bonds, scrip or certificates of debt, to be denominated on the face thereof, Taunton Water Loan, to an amount not exceeding one hundred thousand dollars in addition to the amounts heretofore authorized by law to be issued by it for the same purposes. Said notes, bonds, scrip or certificates of debt shall be payable within such period, not exceeding thirty years from the date thereof, as the city council of said city shall determine. Except as herein otherwise provided the provisions of said chapter and of acts in addition thereto shall apply to the indebtedness hereby authorized and to the securities issued therefor.

SECTION 2. This act shall take effect upon its passage.

Approved February 23, 1900.

AN ACT RELATIVE TO THE PRACTICE OF PHARMACY.

Chap.106

Be it enacted, etc., as follows:

Section ten of chapter three hundred and ninety-seven of the acts of the year eighteen hundred and ninety-six is hereby amended by adding at the end thereof the following:—A registered pharmacist who owns stock to the actual value of at least five hundred dollars in a company incorporated for the purpose of carrying on the drug business and who conducts in person the business of a store of such corporation, shall be considered as actively engaged in business on his own account within the meaning of this act, and may be considered as qualified to receive such a license for said store. 1896, 397, § 10, amended.

Licenses for sale of intoxicating liquors.

Approved February 23, 1900.

AN ACT TO AUTHORIZE THE TOWN OF NORWOOD TO MAKE AN ADDITIONAL WATER LOAN. *Chap.107*

Be it enacted, etc., as follows:

SECTION 1. The town of Norwood, for the purposes mentioned in section five of chapter eighty-two of the acts May issue bonds, notes or scrip, etc.

of the year eighteen hundred and eighty-five, and for the further purpose of making additions to and extensions of the water works therein authorized, may issue bonds, notes or scrip to an amount not exceeding twenty-five thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for the same purposes. Said bonds, notes or scrip shall be issued upon the same terms and conditions as are provided in said act for the issue of the Norwood water loan by said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 23, 1900.

Chap. 108 AN ACT TO EXTEND THE TIME FOR FILING PETITIONS FOR DAMAGES AND OFFERS OF SURRENDER OF REAL ESTATE, UNDER THE ACT TO PROVIDE FOR A METROPOLITAN WATER SUPPLY.

Be it enacted, etc., as follows:

1899, 842, § 1,
amended.

Time within
which certain
petitions for
damages, etc.,
may be filed
extended.

SECTION 1. Section one of chapter three hundred and forty-two of the acts of the year eighteen hundred and ninety-nine is hereby amended by inserting after the word "determination", in the tenth and eleventh lines, the words:—of damages for the taking of water rights where no land is taken in connection with such water rights, and for the determination,—and by inserting after the word "acts", in the eleventh line, the words:—and offers of surrender of real estate provided for in said acts,—so as to read as follows:—*Section 1.* Petitions under the provisions of section fourteen of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, or of section one of chapter four hundred and forty-five of the acts of the year eighteen hundred and ninety-seven, and acts in amendment thereof or in addition thereto, for the determination of damages for the taking of real estate may be filed, as provided by law, within two years after the actual taking by right of eminent domain of such real estate or of any interest therein, and petitions for the determination of damages for the taking of water rights where no land is taken in connection with such water rights, and for the determination of all other damage provided for in said acts, and offers of surrender of real estate provided for in said acts, may be filed on or before the first day of July in the year nineteen hundred and one.

SECTION 2. This act shall not affect the provisions of chapter five hundred and fifty-seven of the acts of the year eighteen hundred and ninety-eight, and shall not extend the time for filing petitions for damages for the taking of land with which no water rights are connected, or for the taking of land with which water rights are connected when both such land and the water rights connected therewith are taken.

Certain provisions of law, etc., not affected.

SECTION 3. This act shall take effect upon its passage.

Approved February 23, 1900.

AN ACT TO EXEMPT THE CITY OF CHICOPEE FROM THE PROVISIONS OF ACTS RELATIVE TO THE RATE OF TAXATION IN CITIES.

Chap. 109

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee is hereby exempted from the operation of section one of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five, and of section one of chapter two hundred and forty-seven of the acts of the year eighteen hundred and ninety-three as amended by chapter four hundred and forty-five of the acts of the year eighteen hundred and ninety-three, until the first day of January in the year nineteen hundred and five.

City of Chicopee exempted from operation of certain provisions of law, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1900.

AN ACT TO AUTHORIZE THE CITY OF NORTH ADAMS TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION AND MAINTENANCE OF SEWERS.

Chap. 110

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams is hereby authorized to issue from time to time in addition to the amounts now authorized by law, notes, scrip or bonds, to be denominated on the face thereof, North Adams Sewer Loan, to an amount not exceeding fifty thousand dollars, payable at periods of not more than thirty years from the dates of issue respectively. The proceeds of such notes, scrip or bonds shall be used for constructing or maintaining sewers.

North Adams Sewer Loan.

SECTION 2. Said city instead of establishing a sinking fund may at the time of authorizing said loan or any part thereof provide for the payment thereof in annual payments of such amounts as will in the aggregate extinguish the same within the time prescribed in this act; and when

May provide for annual payments on loan, etc.

such provision has been made the amount required thereby shall without further vote be assessed by the assessors of said city in each year thereafter, until the debt incurred by the said loan shall be extinguished, in the same manner in which other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall apply to the indebtedness hereby authorized and to the securities issued therefor.

P. S. 29, etc., to apply.

SECTION 3. This act shall take effect upon its passage.

Approved February 27, 1900.

Chap. 111 AN ACT TO AUTHORIZE THE CITY OF NEWTON TO DIVIDE WARD SIX INTO VOTING PRECINCTS.

Be it enacted, etc., as follows:

Ward 6, Newton, may be divided into voting precincts.

SECTION 1. The aldermen of the city of Newton are hereby authorized to divide ward six of said city into precincts, so that the part thereof known as Chestnut Hill and the territory contiguous thereto shall constitute one such precinct and the remainder of said territory two or more precincts, according to the number of voters therein, under the provisions of the general laws relating to elections. The boundaries of such precincts shall so far as possible be the centre lines of known streets or ways, or other well defined limits.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

Chap. 112 AN ACT RELATIVE TO MAKING CONNECTIONS OF ESTATES WITH SEWERS.

Be it enacted, etc., as follows:

1890, § 2, amended.

SECTION 1. Section two of chapter three hundred and nineteen of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out in the third line, the words "a public way", and inserting in place thereof the words:—a public or private street, court or passageway,—so as to read as follows:—*Section 2.* Whenever the board of health of a city or town making such appropriation shall order any real estate therein abutting upon a public or private street, court or pas-

Certain estates to be connected with public sewers.

sageway in which a public sewer has been laid, to be connected with such sewer, or whenever the owner of any such real estate shall make to the board or officer authorized to lay sewers application to connect his estate with a public sewer, such board or officer shall forthwith make such connection and shall assess the expense thereof upon such real estate.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT TO AUTHORIZE THE TOWN OF BUCKLAND TO INCUR CERTAIN INDEBTEDNESS FOR THE ERECTION OF A SCHOOL BUILDING, BEYOND THE LIMIT FIXED BY LAW.

Chap. 113

Be it enacted, etc., as follows :

SECTION 1. The town of Buckland, for the purpose of erecting a new school building and acquiring land therefor, may incur a debt not exceeding fifteen thousand dollars, and may issue negotiable bonds therefor to an amount not exceeding said sum. Such bonds shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, and shall be signed by the treasurer and countersigned by the selectmen of the town. The town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it deems proper : *provided*, that said securities shall not be sold or pledged for less than the par value thereof with accrued interest.

Town of Buckland may incur certain indebtedness, issue bonds, etc.

Provido.

SECTION 2. The indebtedness incurred under this act shall not be reckoned in determining the authorized limit of indebtedness of said town under the provisions of section four of chapter twenty-nine of the Public Statutes and acts in amendment thereof ; but the provisions of said chapter shall in all other respects apply to the indebtedness authorized by this act and the securities issued hereunder.

Not to be reckoned in determining debt limit, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1900.

Chap.114 AN ACT TO PROVIDE FOR THE ELECTION OF A CLERK OF COMMITTEES OF THE CITY OF WOBURN.*Be it enacted, etc., as follows :*

Clerk of committees to be elected.

SECTION 1. The city council of the city of Woburn shall annually elect a clerk of committees in the manner now provided by law for the election of a city clerk.

SECTION 2. This act shall take effect upon its passage.

*Approved March 1, 1900.***Chap.115** AN ACT RELATIVE TO THE SINKING FUNDS OF THE CITY OF WOBURN.*Be it enacted, etc., as follows :*

Sinking fund of city of Woburn.

SECTION 1. The sinking fund commissioners of the city of Woburn shall apply any surplus remaining in the treasury of its sinking fund beyond what is required in any calendar year for payment of the water debt of said city to the payment of other municipal debts maturing during the same year.

Repeal.

SECTION 2. All acts and parts of acts inconsistent with the provisions of section one of this act are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

*Approved March 1, 1900.***Chap.116** AN ACT RELATIVE TO THE RECORDER AND ASSISTANT RECORDERS OF THE COURT OF REGISTRATION.*Be it enacted, etc., as follows :*

To be subject to certain provisions of law.

SECTION 1. The recorder and all assistant recorders of the court of registration shall be subject to the provisions of chapter four hundred and thirty-eight of the acts of the year eighteen hundred and eighty-seven and acts in amendment thereof, so far as the same are applicable.

SECTION 2. This act shall take effect upon its passage.

*Approved March 1, 1900.***Chap.117** AN ACT TO PROVIDE FOR THE DISPOSAL OF CHECKS GIVEN BY THE TREASURER AND RECEIVER GENERAL IN CERTAIN CASES.*Be it enacted, etc., as follows :*

Disposal of certain checks hereafter given

SECTION 1. The face value of all checks hereafter given by the treasurer and receiver general and not paid

within two years from the date of issue thereof shall revert to the treasury of the Commonwealth, and the amount due on account of said checks shall not be paid out of the treasury of the Commonwealth except upon an appropriation for the purpose by the general court.

by the treasurer and receiver general.

SECTION 2. The face value of all outstanding checks which have been issued for the payment of bills by former treasurers and receiver generals of the Commonwealth and which shall not have been paid within one year from the date of the passage of this act shall revert to the treasury of the Commonwealth, and the amount due on account of such checks shall not be paid out of the treasury of the Commonwealth except upon an appropriation for the purpose by the general court.

Disposal of certain outstanding checks.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT TO EXTEND THE TIME WITHIN WHICH THE FITCHBURG AND ASHBY STREET RAILWAY COMPANY MAY CONSTRUCT AND OPERATE ITS RAILWAY.

Chap. 118

Be it enacted, etc., as follows:

SECTION 1. The time within which the Fitchburg and Ashby Street Railway Company is authorized by chapter three hundred and fifty-two of the acts of the year eighteen hundred and ninety-eight to construct and operate its railway is hereby extended to the first day of November in the year nineteen hundred and two.

Time extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT RELATIVE TO THE REPAIR OF COUNTY BUILDINGS BY DAY WORK.

Chap. 119

Be it enacted, etc., as follows:

SECTION 1. Section twenty-two of chapter twenty-two of the Public Statutes, as amended by section two of chapter one hundred and thirty-seven of the acts of the year eighteen hundred and ninety-seven, is hereby amended by striking out the word "unanimous", in the thirty-fifth line, and by inserting after the word "unless", in the thirty-ninth line, the words:—upon or with the bill the clerk of the county commissioners has duly certified that, —so as to read as follows:—*Section 22.* All contracts made by the commissioners for building, altering, furnish-

P. S. 22, § 22, etc., amended.

Certain contracts to be made in writing, etc.

Certain contracts to be made in writing, etc.

ing or repairing public buildings, or for the construction of public works, or for the purchase of supplies, shall, if exceeding eight hundred dollars in amount, be made in writing, after notice for proposals therefor has been published at least three times in some newspaper published in the city or town interested in the work contracted for, if any newspaper is there published, otherwise in the newspaper of most general circulation in the county, and posted in a conspicuous place in the county court houses in such county for at least one week. The county commissioner shall, in each case, make a certificate under oath of such publication and posting, which certificate shall be filed with the county treasurer, to be kept by him as a voucher in the manner prescribed by law. All proposals shall be publicly opened in the presence of a majority of the county commissioners, and a record thereof shall be made upon the record of the county commissioners. In case of emergency however repairs may be contracted for without such advertisement or posting. The county commissioners shall certify to the existence of such emergency upon the orders to the county treasurer for payment of all bills for such repairs. All contracts made under the provisions of this section, and all changes in, or additions to, or agreements or orders for extras under such contract, shall be in writing, and recorded in a book to be kept for the purpose with the records of the county. No contract made in violation of the provisions of this section shall be valid against the county, and no payment thereon shall be made from the county treasury. Nothing contained in this section shall be construed to prevent county commissioners from causing county buildings to be repaired by day work, whenever, in the judgment of the board, to be expressed in a vote, the best interests of the county require such a course; but no bill in excess of eight hundred dollars for repairs done by day work shall be paid by the county treasurer unless upon or with the bill the clerk of the county commissioners has duly certified that such a vote appears upon the records of the county commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT RELATIVE TO CAUCUSES HELD PREPARATORY TO NATIONAL PARTY CONVENTIONS. *Chap.120*

Be it enacted, etc., as follows :

SECTION 1. The provisions of law relative to caucuses of political parties shall apply to caucuses of such parties held for the choice of delegates to conventions held to elect delegates to national conventions for the nomination of candidates for president and vice president of the United States.

Caucuses held preparatory to national party conventions.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT TO ESTABLISH THE NAME OF THE TOWN OF SWANSEA. *Chap.121*

Be it enacted, etc., as follows :

SECTION 1. The name of the town heretofore variously spelled Swansea, Swansey and Swanzey shall be Swansea.

Name of town of Swansea established.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1900.

AN ACT TO INCORPORATE THE JOHNSON BUILDINGS. *Chap.122*

Be it enacted, etc., as follows :

SECTION 1. George W. Johnson, Edward C. Johnson and Wolcott H. Johnson, their associates and successors, are hereby made a corporation by the name of Johnson Buildings, for the purpose of holding, managing, improving and leasing the real estate in the city of Boston on Federal street and on Summer street lately belonging to Charlotte A. Johnson, deceased, and by her last will and testament devised in trust, and such other real estate adjoining the same or near thereto as they may hereafter purchase, and of performing all legal acts which may be necessary for accomplishing such purpose ; with the powers and privileges and subject to the duties, liabilities and conditions set forth in all general laws which now are or hereafter may be in force applicable to such corporations.

Johnson Buildings incorporated.

SECTION 2. Said corporation may sell or mortgage the whole or any part of the real estate which it is allowed by this act to hold.

May sell or mortgage certain real estate.

SECTION 3. The capital stock of said corporation shall not exceed three hundred and fifty thousand dollars.

Capital stock.

The shares shall be of the par value of one hundred dollars each, and no share shall be issued except for cash actually paid in or property actually conveyed; and the value of such property shall be determined by the commissioner of corporations.

SECTION 4. This act shall take effect upon its passage.

Approved March 2, 1900.

Chap.123 AN ACT TO EXTEND THE TIME FOR CONSTRUCTING AND OPERATING THE TEMPLETON STREET RAILWAY.

Be it enacted, etc., as follows:

1896, 205, § 9,
etc., amended.

SECTION 1. Section nine of chapter two hundred and five of the acts of the year eighteen hundred and ninety-six, as amended by chapter sixty-one of the acts of the year eighteen hundred and ninety-eight, is hereby amended by striking out the word "four", in the fourth line, and inserting in place thereof the word:—five,—so as to read as follows:—*Section 9.* The authority herein granted shall cease as to the location in any town, when no portion of the proposed road has been built and put in operation at the end of five years from the passage of this act.

Authority to
cease under
certain condi-
tions.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1900.

Chap.124 AN ACT TO EXTEND THE TIME WITHIN WHICH THE BARRE STREET RAILWAY COMPANY MAY CONSTRUCT AND OPERATE ITS RAILWAY.

Be it enacted, etc., as follows:

Time extended.

The time within which the Barre Street Railway Company is authorized by chapter two hundred and seventeen of the acts of the year eighteen hundred and ninety-seven to construct, maintain and operate its railway is hereby extended to the first day of April in the year nineteen hundred and two.

Approved March 6, 1900.

Chap.125 AN ACT TO CONFIRM THE GRANTS OF LOCATIONS TO THE WORCESTER AND CLINTON STREET RAILWAY COMPANY IN THE TOWNS OF CLINTON AND BOYLSTON.

Be it enacted, etc., as follows:

Certain grants
of locations in
Clinton and
Boylston con-
firmed, etc.

SECTION 1. The several locations heretofore granted to the Worcester and Clinton Street Railway Company by the selectmen of the towns of Clinton and Boylston,

and the substitute locations granted therefor, are hereby ratified and confirmed as of their respective dates, and permission is hereby granted to the said Worcester and Clinton Street Railway Company, its successors and assigns, to enter upon, construct, maintain and operate a single track railway, with the necessary turn-outs and switches, through Boylston street in Clinton and the new state highway in Boylston, as follows: — Beginning at a point near the Lancaster Mills bridge in said Clinton, thence over the easterly side of the new state highway recently laid out by the metropolitan water board, known as Boylston street, to a point where said highway intersects the line between the towns of Boylston and Clinton, thence through the state highway in the town of Boylston constructed by the metropolitan water board to the point where said highway joins the old county road between said towns, subject to the limitations and conditions that have been or may be imposed by the selectmen of said towns.

Certain grants of locations in Clinton and Boylston confirmed, etc.

SECTION 2. The locations and franchises hereby confirmed and granted shall be deemed to be substitutes for the locations and franchises heretofore granted by the selectmen of the towns of Clinton and Boylston, and shall be deemed and held to be granted as of the original dates thereof, and all liens, mortgages and other incumbrances placed upon the locations and franchises heretofore granted to the said Worcester and Clinton Street Railway Company for the security of its mortgage bonds shall attach to and be incumbrances upon the locations and franchises hereby granted and confirmed.

To be deemed to be substitutes for locations, etc., heretofore granted.

SECTION 3. This act shall take effect upon its passage.

Approved March 6, 1900.

AN ACT TO EXTEND THE TIME FOR FILING PETITIONS FOR THE ASSESSMENT OF DAMAGES IN CERTAIN CASES.

Chap. 126

Be it enacted, etc., as follows:

SECTION 1. The time within which any person suffering damage from the taking of or injury to any land, water course, right or easement taken or injured under the provisions of chapter four hundred and twenty-six of the acts of the year eighteen hundred and ninety-seven is hereby extended until the expiration of three years from the time of such taking or injury.

Time extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 7, 1900.

Chap.127 AN ACT TO PROVIDE FOR THE APPOINTMENT OF TRUSTEES FOR PREPARATIVE MEETINGS OF THE SOCIETY OF FRIENDS OR QUAKERS.

Be it enacted, etc., as follows:

Trustees for preparative meetings of the society of Friends, appointment, etc.

SECTION 1. Any monthly meeting of the people called Friends may appoint, in such manner and for such time as it may decide, three members of any preparative meeting belonging to or forming a part of said monthly meeting, to act as a board of trustees, who shall with their successors be a body corporate, for the purpose of taking, holding, managing or conveying any real estate now owned or in any way hereafter acquired by such preparative meeting. Said trustees shall be subject to all the provisions of section eight of chapter thirty-nine of the Public Statutes applicable to the overseers of any monthly meeting; and any real estate the legal title of which is now vested in the overseers of such monthly meeting as a body corporate shall be transferred by said overseers to said trustees, to be held in trust in like manner by them.

To be subject to certain provisions of law, etc.

Conveyance of real estate.

SECTION 2. No conveyance of said real estate shall be effectual to pass the same if made by the aforesaid trustees without the consent in writing of the preparative meeting, granted as the decision of said meeting.

Certain powers of overseers not affected.

SECTION 3. Nothing in this act shall be construed to affect the powers of the overseers of any monthly meeting, as set forth in section eight of chapter thirty-nine of the Public Statutes, to receive, hold, manage or convey any personal estate granted for the use and benefit of such monthly meeting, or for the use and benefit of any preparative meeting belonging thereto.

SECTION 4. This act shall take effect upon its passage.

Approved March 7, 1900.

Chap.128 AN ACT RELATIVE TO THE DESTRUCTION OF HAWKS IN THE COUNTY OF DUKES COUNTY.

Be it enacted, etc., as follows:

1890, 237, § 2, amended.

SECTION 1. Section two of chapter two hundred and thirty-seven of the acts of the year eighteen hundred and ninety is hereby amended by inserting before the word "foxes", in the third line, the word:—hawks,—so as to read as follows:—*Section 2.* The county commissioners of the county of Dukes County are hereby empowered to offer a reward for the destruction of hawks,

Destruction of hawks, etc., in the county of Dukes County.

foxes and raccoons, and to authorize the payment of the same from the county treasury, upon proper proof of such destruction.

SECTION 2. This act shall take effect upon its passage.

Approved March 7, 1900.

AN ACT RELATIVE TO THE MAINTENANCE OF BASTARD CHILDREN.

Chap.129

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter eighty-five of the Public Statutes, as amended by section four of chapter one hundred and one of the acts of the year eighteen hundred and eighty-six, and by section twenty-eight of chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-eight, is hereby further amended by inserting after the word "she", at the end of the seventh line, the words:—dies or,—so as to read as follows:—*Section 2.* If a woman entitled to make a complaint refuses or neglects so to do when requested by an overseer of the poor of the place where she resides or has her settlement, or one of the state board of insanity, or the superintendent of the state almshouse, or a person authorized by either of them to make the request, or either of her parents or her guardian, the person so requesting may make the complaint; and when already made, if she dies or refuses or neglects to prosecute the same, either of said persons may prosecute the case to final judgment, for the benefit of the parent, guardian, city, town, or state.

P. S. 85, § 2,
etc., amended.

Who may com-
plain, etc., if
woman refuses.

SECTION 2. This act shall apply to all cases now or hereafter pending.

To apply to
pending cases.

SECTION 3. This act shall take effect upon its passage.

Approved March 7, 1900.

AN ACT TO CHANGE THE NAME OF THE CAMBRIDGE SAFE DEPOSIT AND TRUST COMPANY.

Chap.130

Be it enacted, etc., as follows:

SECTION 1. The name of the Cambridge Safe Deposit and Trust Company is hereby changed to the Cambridge Trust Company.

Name changed.

SECTION 2. This act shall take effect ten days after its passage.

Approved March 7, 1900.

Chap. 131 AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE COMMONWEALTH OF MASSACHUSETTS AND THE STATE OF VERMONT.

Be it enacted, etc., as follows:

Boundary line
between Massa-
chusetts and
Vermont estab-
lished.

SECTION 1. The boundary line between the Commonwealth of Massachusetts and the state of Vermont shall be and hereby is fixed as follows, to wit:—Beginning at a stone bound standing on the easterly slope of a hill, in latitude forty-two degrees forty-four minutes forty-five and two hundred and one thousandths seconds north, longitude seventy-three degrees fifteen minutes fifty-four and nine hundred and four thousandths seconds west from Greenwich, and marking the northwest corner of the Commonwealth of Massachusetts, a corner in the easterly line of the state of New York, and a point in the southerly line of the state of Vermont; thence the line runs south, eighty-eight degrees twenty-six minutes twelve seconds east, one hundred and three thousand seven hundred and twenty-four and eight tenths feet, to a stone monument called Jilson corner, a short distance south of the summit of Jilson hill, between the towns of Whitingham in Vermont and Rowe in Massachusetts; thence south, eighty-eight degrees eleven minutes eleven seconds east, twenty-eight thousand nine hundred and twenty-two feet, to a stone monument called Phillips, on the northerly side of Christian hill, between the towns of Halifax in Vermont and Colrain in Massachusetts; thence south, eighty-seven degrees fifty-one minutes forty seconds east, thirty-five thousand three hundred and eighty-six feet, to a stone monument called Leyden, situated between the towns of Guilford in Vermont and Leyden in Massachusetts, at a point located by Simeon Borden in his survey of Massachusetts made under the authority of chapter fifty-eight, resolves of eighteen hundred twenty-nine and thirty; thence south, eighty-seven degrees fifty minutes fifteen seconds east, forty-eight thousand seven hundred and sixty-five feet, to a copper bolt in a granite pier in the westerly bank of the Connecticut river, at the southeast corner of the state of Vermont and the southwest corner of the state of New Hampshire, in latitude forty-two degrees forty-three minutes thirty-seven and two tenths seconds north, longitude seventy-two degrees twenty-seven minutes thirty-two and one tenth seconds west from Greenwich. The location of

this pier is indicated by a large polished granite monument set on the western bank of the river above high water mark, bearing north, eighty-seven degrees forty-six minutes forty-five seconds west, and distant five hundred and eighty-two feet from the pier. The bearings given in each case are those made with the meridian, midway between the ends of the lines. In addition to the monuments set at the ends of the straight lines other monuments have been set at the points of intersection of the boundary line with highways and boundary lines of towns in Massachusetts, and iron bolts have been placed at a few other points along the line. These additional marks are described as follows:—Beginning at said north-west corner of Massachusetts; thence easterly, about five thousand two hundred and fifty-four feet, to a monument at the east side of the Pratt road; thence easterly, about eight thousand five hundred and sixty feet, to a monument at the west side of the road at the Hoosac river; thence easterly, about six thousand seven hundred and ninety feet, to a monument at the east side of the easterly road between Williamstown and Pownal; thence easterly, about six thousand five hundred and forty-nine feet, to a monument between the towns of Williamstown and Clarksburg; thence easterly, about two thousand one hundred and eighty-three feet, to an iron bolt in the summit of Clarksburg mountain; thence easterly, about ten thousand and ninety-seven feet, to a monument on the easterly side of Peek's Bridge road; thence easterly, about seven thousand seven hundred and sixty feet, to a monument at the west side of a road; thence easterly, about four thousand six hundred and seventy-two feet, to a monument at the west side of the road by the Stamford House; thence easterly, about two thousand five hundred and forty-two feet, to a monument at the west side of the road at the west base of Florida mountain; thence easterly, about three thousand six hundred and eighty-one feet, to a monument between the towns of Clarksburg and Florida; thence easterly, about two thousand three hundred and seventeen feet, to an iron bolt in the ledge at the summit of Florida mountain; thence easterly, about three hundred and sixteen feet, to a monument at the west side of the Wiley Mill road; thence easterly, about four thousand two hundred and fifty feet, to a monument between the towns of Florida and Monroe; thence easterly, about

Boundary line
between Massa-
chusetts and
Vermont estab-
lished.

Boundary line
between Massa-
chusetts and
Vermont estab-
lished.

three thousand three hundred and twenty-four feet, to a monument on the east side of the road by John J. Turner's; thence easterly, about twelve thousand six hundred and eighty-one feet, to a monument at the east side of the Oakes road; thence easterly, about three thousand two hundred and fifty feet, to a monument at the east side of a road; thence easterly, about six thousand five hundred and thirty-six feet, to a monument at the west side of the road on the west bank of the Deerfield river; thence easterly, about four hundred and seventy feet, across the Deerfield river, to a monument at the east side of the road on the east bank of the river; thence easterly, about seven thousand one hundred and forty-four feet, to a monument on the west side of the road from Readsboro to Heath; thence easterly, about three thousand eight hundred and fifty feet, to a monument at the west side of a road; thence easterly, about one thousand four hundred and seventy-four and eight tenths feet, to the monument at Jilson hill; thence easterly, about two thousand three hundred and seventy-nine feet, to a monument at the west side of the Stone road; thence easterly, about one thousand five hundred and forty-two feet, to a monument between the towns of Rowe and Heath; thence easterly, about one thousand seven hundred and fifty-three feet, to a monument at the west side of the Hampilton road; thence easterly, about five thousand four hundred and fifty-two feet, to a monument at the west side of the Williams road; thence easterly, about five thousand six hundred and sixty-one feet, to a monument at the east side of the Fairbanks road; thence easterly, about six thousand eight hundred and thirteen feet, to a monument between the towns of Heath and Colrain; thence easterly, about one thousand three hundred and sixty-two feet, to a monument at the east side of the Cemetery road; thence easterly, about one thousand eight hundred and forty feet, to a monument at the west side of the Back road; thence easterly, about two thousand one hundred and twenty feet, to the monument called "Phillips"; thence easterly, about eight hundred and forty and seven tenths feet, to a monument at the west side of the Phillips road; thence easterly, about twelve thousand five hundred and eleven and three tenths feet, to a monument at the west side of the Stark road; thence easterly, about four hundred and forty-nine feet, to a monument at the west side of the Branch road; thence

easterly, about seven thousand three hundred and sixty-nine feet, to a monument at the east side of the road near the Legate house; thence easterly, about one thousand six hundred and fifty-one feet, to a monument at the east side of a road; thence easterly, about two thousand six hundred and eighty-two feet, to a monument at the west side of the road on the west bank of Green river; thence easterly, about four hundred and eighty-five feet, to a monument between the towns of Colrain and Leyden; thence easterly, about three thousand six hundred and twenty-three feet, to a monument at the east side of the Spear road; thence easterly, about four thousand nine hundred and eighteen feet, to a monument at the east side of the Alexander road; thence easterly, about eight hundred and fifty-seven feet, to the monument called "Leyden"; thence easterly, about six thousand one hundred and twenty-seven feet, to a monument at the west side of the Miner road; thence easterly, about nine hundred and seventy-eight feet, to a monument on the west side of the Barker road; thence easterly, about three thousand nine hundred and forty-eight feet, to a monument between the towns of Leyden and Bernardston; thence easterly, about one thousand five hundred and two feet, to a monument at the east side of the Stebbins road; thence easterly, about five thousand three hundred and thirty-two and five tenths feet, to a monument at the west side of a road; thence easterly, about eleven thousand eight hundred and twenty-four and four tenths feet, to a monument on the east side of the Allen road; thence easterly, about three thousand three hundred and sixty-seven and seven tenths feet, to a monument between the towns of Bernardston and Northfield; thence easterly, about six thousand five hundred and seventy-four feet, to a monument at the east side of an old road; thence easterly, about seven thousand four hundred and five and six tenths feet, to a monument at the west side of Main street; thence easterly, about seven hundred and seventy-seven feet, to a monument at the east side of the Connecticut River railroad; thence easterly, about three hundred and forty-six and four tenths feet, to the large polished granite marker monument on the west bank of the Connecticut river; thence easterly, five hundred and eighty-two feet, to the monument between the states of Vermont and New Hampshire.

Boundary line
between Massa-
chusetts and
Vermont
established.

Location of line.

The location of the line is shown on a plan marked "Map of the Massachusetts and Vermont boundary line, from northwest corner of Massachusetts to Connecticut river", and signed by the commissioners of both states, which, together with a printed description of the line and the monuments marking it, were filed in the office of the secretary of the Commonwealth, January 1, 1900.

Monument at northwest corner of Massachusetts described.

The monument at the northwest corner of Massachusetts is a light colored granite bound, eight feet long, fourteen inches square, dressed on top and down three feet on each side and set nearly five feet into the ground. The faces opposite the different states are marked as follows: New York, "N. Y. 1898." Massachusetts, "Mass 1896." Vermont, "Vt 1896."

Monuments at road crossings.

The monuments at road crossings are marked by similar bounds, marked "Mass 1896" and "Vt 1896" on opposite sides.

Monuments at town corners.

The monuments at the town corners are similar bounds, ten inches square, marked on opposite sides "Mass 1896" and "Vt 1896." They are also marked with the initial letter of the names of the towns between which they stand.

Monument at angle on Jilson hill.

The monument at the angle on Jilson hill is like those at the road crossings, except that it has in addition the word "Jilson" cut in it.

Monument at the Leyden angle.

The monument at the Leyden angle is a granite block, eighteen inches square and two feet high, dressed on three sides, marked on north and south faces like the road stones, on the east "Lyden." A cavity five inches deep is cut in the top, and around the cavity is cut "Borden, 1834."

Bound, how secured.

The bound is secured to the ledge by an iron dowell, one and three quarters inches in diameter, three feet long, the whole being secured by lead and Portland cement.

Southwest corner of New Hampshire and southeast corner of Vermont, how marked.

The southwest corner of New Hampshire and southeast corner of Vermont is marked by a copper bolt in the apex of a granite block, set upon a stone pier and sunk in the shore of the western bank of the Connecticut river; and its location designated by a large polished granite monument, five hundred and eighty-two feet distant, on the western bank of the river above high water mark, and marked with the names of the commissioners and surveyors of the three states on the north, south and east sides. On the west side the distance and direction to and description of said corner are given, with latitude and longitude of the same.

SECTION 2. This act shall take effect when a similar act is passed by the state of Vermont establishing the line described in this act. When to take effect.
Approved March 8, 1900.

AN ACT RELATIVE TO THE WORCESTER REAL ESTATE ASSOCIATION. *Chap.132*
Be it enacted, etc., as follows:

Section two of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety-six is hereby amended by striking out all of said section after the word "lease", in the second line, and inserting in place thereof the words:— a certain parcel of real estate in the city of Worcester, being all that portion of the Wetherell farm, so-called, lying southerly of Pleasant street and westerly of June street, comprising about seventeen acres, and to improve the same by the erection of dwelling houses, stores and other buildings thereon, or otherwise as may be expedient, — so as to read as follows:— *Section 2.* 1896, 428, § 2, amended.
 The said corporation shall have power to purchase, hold, sell, mortgage, let and lease a certain parcel of real estate in the city of Worcester, being all that portion of the Wetherell farm, so-called, lying southerly of Pleasant street and westerly of June street, comprising about seventeen acres, and to improve the same by the erection of dwelling houses, stores and other buildings thereon, or otherwise as may be expedient. May hold certain real estate, etc.

Approved March 8, 1900.

AN ACT TO EXTEND THE PROVISIONS OF THE CIVIL SERVICE LAW TO THE POLICE AND FIRE FORCES OF THE TOWN OF NATICK. *Chap.133*

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, entitled "An Act to improve the civil service of the Commonwealth and the cities thereof", and of all acts in amendment thereof, and the civil service rules thereunder which relate to the police and fire forces of cities of the Commonwealth other than the city of Boston, are hereby extended and made applicable to the members of the regular police force and all members of the fire force of the town of Natick. Civil service act extended to police and fire forces of Natick.

SECTION 2. All members of said regular police and fire forces shall continue to hold their respective offices until resignation or removal. Term of office.

Removals.

SECTION 3. No member of either of said forces shall be removed except for cause shown, after a full hearing before the selectmen of said town, at which hearing the member in question shall have the right to be present and to be represented by counsel.

When to take effect.

SECTION 4. This act shall take effect upon its acceptance by a majority of the legal voters of said town present and voting thereon at an annual town meeting or at any town meeting duly called for the purpose. If the vote thereon is taken at an annual town meeting it shall be by official ballot in answer to the question, "Shall an act passed by the general court in the year nineteen hundred, to extend the civil service law to the police and fire forces of Natick, be accepted?"

Approved March 8, 1900.

Chap. 134 AN ACT TO INCORPORATE THE OLD KIRK CEMETERY ASSOCIATION.
Be it enacted, etc., as follows:

Old Kirk Cemetery Association incorporated.

SECTION 1. Charles O. Sweet, Amelia D. Sheffield, Calista C. Thacher, Everett S. Horton, George A. Dean, Joseph L. Sweet, Abijah T. Wales, Homer M. Daggett, Lydia D. Peck, John M. Fisher and Frank I. Babcock, their associates and successors, are hereby made a corporation by the name of Old Kirk Cemetery Association, for the purpose of acquiring, holding and improving the cemetery adjacent to the Second Congregational Church in Attleborough.

May acquire and hold certain real and personal estate.

SECTION 2. Said corporation may acquire and hold, for the purposes of its incorporation, real and personal property to an amount not exceeding ten thousand dollars in addition to such interest as it may acquire in said cemetery and in addition to property held under the provisions of the following section.

Grants, bequests, etc.

SECTION 3. Said corporation is hereby authorized to take, hold and apply any grant, gift or bequest of property, in trust or otherwise, for the improvement or embellishment of said cemetery or any part thereof, or of any lot or structure therein; and when such grant, gift or bequest is made in trust the said corporation shall give an obligation to the grantor or donor, or his representative, or to the representative of the testator, on such conditions as it may establish, binding itself to carry out the terms of the trust.

Powers, duties, etc.

SECTION 4. Except as herein otherwise provided said corporation shall have all the powers and privileges and

shall be subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force relating to cemetery corporations.

SECTION 5. Any person having burial rights or other property interest in said cemetery may become a member of the corporation by application to the secretary and by compliance with the provisions of its by-laws. Membership.

SECTION 6. This act shall take effect upon its passage.

Approved March 8, 1900.

AN ACT RELATIVE TO THE APPOINTMENT OF CERTAIN OFFICERS OF THE CITY OF NEWTON. Chap.135

Be it enacted, etc., as follows:

SECTION 1. The mayor and aldermen of the city of Newton shall appoint constables and all other boards and officers required by the laws of the Commonwealth or by the ordinances of the city, whose selection is not otherwise provided for in the charter of said city or in special laws relating thereto, to hold office until they resign or are removed by the mayor with the consent of the aldermen. But this act shall not apply to the appointment or term of office of election officers. Appointment of certain officers in Newton.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1900.

AN ACT TO CONFIRM THE TRANSFER BY THE MERCHANTS AND MANUFACTURERS LIFE ASSOCIATION OF ITS RISKS TO THE COLONIAL LIFE ASSOCIATION. Chap.136

Be it enacted, etc., as follows:

SECTION 1. The agreement between The Merchants and Manufacturers Life Association, of Westfield, Massachusetts, and the Colonial Life Association, of Boston, whereby the risks of The Merchants and Manufacturers Life Association were transferred to the Colonial Life Association, which agreement was approved by the insured at a meeting to consider the same called for and held on the fifteenth day of June in the year eighteen hundred and ninety-nine, is hereby ratified and confirmed. Transfer of risks confirmed.

SECTION 2. The treasurer of the Commonwealth is hereby authorized to transfer the funds and securities deposited with him by the said The Merchants and Manufacturers Life Association to the credit of the Colonial Funds, etc., to be transferred to the credit of the Colonial Life Association.

Life Association, and to hold the same as though deposited by said Colonial Life Association as a part of its emergency fund.

SECTION 3. This act shall take effect upon its passage.

Approved March 9, 1900.

Chap.137 AN ACT TO ESTABLISH THE SALARY OF THE THIRD DEPUTY IN THE OFFICE OF THE CONTROLLER OF COUNTY ACCOUNTS.

Be it enacted, etc., as follows:

Salary estab-
lished.

The salary of the third deputy in the office of the controller of county accounts shall be twelve hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. *Approved March 9, 1900.*

Chap.138 AN ACT TO ESTABLISH THE OFFICE OF CLERK OF THE POLICE COURT OF LEE.

Be it enacted, etc., as follows:

Clerk of police
court of Lee,
appointment,
etc.

SECTION 1. There shall be appointed by the governor, with the advice and consent of the council, a clerk of the police court of Lee, who shall perform the services and have the powers now prescribed by law in the case of clerks of like courts in this Commonwealth. The appointment shall date from the first day of July in the year nineteen hundred.

Salary.

SECTION 2. The salary of the said clerk shall be five hundred dollars a year, and it shall be paid by the county of Berkshire.

SECTION 3. This act shall take effect upon its passage.

Approved March 9, 1900.

Chap.139 AN ACT TO PROVIDE FOR THE LAYING OUT AND CONSTRUCTION OF CARLETON STREET IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Construction,
etc., of a certain
street in Boston.

SECTION 1. The board of street commissioners of the city of Boston, with the approval of the mayor, may lay out and order the construction of a street for so much of the distance between Yarmouth street and Massachusetts avenue as said board shall deem that public necessity and convenience require, and the superintendent of streets of said city, or such other officer as the mayor shall designate, shall forthwith construct said street and the connections

and intersections of other streets with the same, in accordance with the widths and lines as so laid out and on such grades and with such covering, sidewalks, edgestones and other particulars of construction, as he shall deem proper.

SECTION 2. The cost of such laying out and construction, including the expense of taking land, and all other doings, shall be paid from the proceeds of bonds of said city, which shall be issued within its debt limit by the city treasurer from time to time on the request of the mayor, and said board after said street has been constructed shall assess a proportional share of said cost upon all such real estate, whether a part thereof is taken for said street or whether it be situated on said street or otherwise, as said board shall adjudge receives any benefit and advantage from such laying out and construction beyond the general advantage to all real estate in said city, to the extent of the total amount of such adjudged benefit and advantage, and the part of said expense not so paid shall be borne by the city of Boston.

Payment of cost.

SECTION 3. Except as otherwise specified herein sections two, three, five, six, seven and eight of chapter fifty-one of the Public Statutes shall apply to said laying out and construction and to such assessments; but in determining the damages sustained by the taking of any part of an estate no allowance shall be made by way of set-off for benefit resulting to the remainder of such estate.

Certain provisions of law to apply, etc.

SECTION 4. This act shall take effect upon its passage.

Approved March 9, 1900.

AN ACT TO AUTHORIZE THE TOWN OF ARLINGTON TO MAINTAIN AS A PUBLIC PARK ITS RESERVOIR AND LANDS HELD FOR THE PURPOSES OF A WATER SUPPLY.

Chap. 140

Be it enacted, etc., as follows:

SECTION 1. The town of Arlington may annually appropriate, to be expended under the direction of its park commissioners in conjunction with its water commissioners, such sums of money as it shall deem advisable for the maintenance as a public park of its reservoir and any or all lands held by it under the provisions of chapter two hundred and forty-two of the acts of the year eighteen hundred and seventy-three and of the acts to which that act is in addition; but nothing herein contained shall take from said water commissioners any of the rights given to

May appropriate money for park purposes.

Certain rights of water commissioners, etc.,

not affected,
etc.

them by chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, or otherwise, or take from the town the right to maintain and keep its water supply as an auxiliary supply to the metropolitan water supply, or for any public use. The title to all lands and water rights conveyed to said town by deeds in form sufficient to denote a conveyance in fee shall be held to have vested in the town in fee, and said town is hereby authorized to sell and convey all such lands and water rights as it shall by vote determine are not necessary for the maintenance of its reservoir or of a water supply.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1900.

Chap. 141 AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS HIGHWAY COMMISSION.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit : —

Massachusetts
highway com-
mission.

For the salaries of the Massachusetts highway commission, the sum of six thousand dollars.

Engineers,
clerks, etc.

For the salaries of the engineers, clerks and assistants in the office of the Massachusetts highway commission, a sum not exceeding seventeen thousand and sixty dollars.

Expenses.

For travelling and other expenses of the Massachusetts highway commission, printing, postage and necessary office expenses, a sum not exceeding five thousand four hundred and forty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 13, 1900.

Chap. 142 AN ACT TO EXTEND THE TIME WITHIN WHICH THE MILLBURY, SUTTON AND DOUGLAS RAILROAD COMPANY MAY LOCATE, CONSTRUCT AND OPERATE ITS RAILROAD.

Be it enacted, etc., as follows :

Time extended. SECTION 1. The time within which the Millbury, Sutton and Douglas Railroad Company is authorized by chapter three hundred and seventy-two of the acts of the year eighteen hundred and ninety-seven, as amended by chapter four

hundred and one of the acts of the year eighteen hundred and ninety-nine, to locate, construct and operate its railroad is hereby extended to the tenth day of October in the year nineteen hundred and one.

SECTION 2. This act shall take effect upon its passage.

Approved March 14, 1900.

AN ACT TO INCORPORATE THE UNION EVANGELICAL SOCIETY.

Chap.143

Be it enacted, etc., as follows :

SECTION 1. Walter S. Lewis, Chas. W. Crandall, William H. Clark, Samuel H. Peck, Henry O. Clark and Marshall P. Lewis, with all other members of the Union Evangelical Society of Stow, and their successors as members of such society, are hereby incorporated by the name of Union Evangelical Society, and shall be entitled to all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force relating to such religious societies. Said corporation may hold real and personal estate for parochial and religious purposes to an amount not exceeding five thousand dollars.

Union Evangelical Society incorporated.

SECTION 2. This act shall take effect upon its passage.

Approved March 14, 1900.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN ASSISTANT REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF BRISTOL.

Chap.144

Be it enacted, etc., as follows :

SECTION 1. The judge of probate and insolvency for the county of Bristol may appoint an assistant register of probate and insolvency for said county, who may be a woman, who shall be subject to the provisions of law applicable to assistant registers of probate and insolvency, and who shall receive an annual salary of one thousand dollars.

Assistant register of probate and insolvency, appointment, etc.

SECTION 2. The register of probate and insolvency for the county of Bristol shall be allowed annually, in addition to the amount now allowed by law, a sum not exceeding two hundred dollars for clerical assistance actually performed, to be paid from the treasury of the Commonwealth upon the certificate of the judge of probate and insolvency for said county.

Clerical assistance.

Repeal.

SECTION 3. Chapter one hundred and thirty-six of the acts of the year eighteen hundred and eighty-nine is hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved March 14, 1900.

Chap.145 AN ACT TO EXTEND THE TERM OF SERVICE OF THE OLD COLONY COMMISSION.

Be it enacted, etc., as follows:

Old Colony
Commission,
term of service
extended.

SECTION 1. The Old Colony Commission, appointed under chapter three hundred and fifty-two of the acts of the year eighteen hundred and ninety-seven, shall hold office until the sixth day of January in the year nineteen hundred and one, and may expend a further sum of four hundred dollars in the discharge of its duties, under the limitations and restrictions contained in said chapter.

To make a
report.

SECTION 2. Said commission shall before the expiration of its term of service make a report of its doings to the general court of nineteen hundred and one.

Approved March 14, 1900.

Chap.146 AN ACT TO AUTHORIZE THE CITY OF MARLBOROUGH' TO REFUND A PART OF ITS INDEBTEDNESS.

Be it enacted, etc., as follows:

May issue
bonds, notes or
scrip, etc.

SECTION 1. The city of Marlborough by vote of its city council is hereby authorized to issue bonds, notes or scrip to an amount not exceeding twenty thousand dollars, for the purpose of refunding a part of its existing indebtedness. The bonds, notes or scrip issued under the provisions of this act shall be made payable not more than thirty years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, and shall not be reckoned in determining the limit of indebtedness of said city fixed by law. They shall be signed by the treasurer and countersigned by the mayor and auditor of the city and may be sold or negotiated at public or private sale, and the proceeds shall be used in payment of two promissory notes of the city maturing during the present year, the aggregate principal of which is twenty thousand seven hundred dollars: *provided*, that any surplus of said proceeds over the amount required to pay said notes shall be used for water construction.

Not to be
reckoned in
determining
debt limit, etc.

Proviso.

SECTION 2. Said city instead of establishing a sinking fund may provide that said bonds, notes or scrip shall be payable in such annual amounts as will extinguish the same within the time prescribed by this act.

May provide for annual payments on bonds, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 14, 1900.

AN ACT RELATIVE TO EXECUTORS AND ADMINISTRATORS.

Chap.147

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter one hundred and forty-four of the Public Statutes is hereby amended by adding at the end thereof the words:—and the court may at any time, on the petition of one having in charge the settlement of an estate of a deceased person, and after such notice as the court may order, determine the amount that may be so expended,—so as to read as follows:—

P. S. 144, § 6, amended.

Section 6. As part of the funeral expenses of a deceased person, a reasonable sum expended for a burial lot and for a monument may be allowed by the court; and the court may at any time, on the petition of one having in charge the settlement of an estate of a deceased person, and after such notice as the court may order, determine the amount that may be so expended.

Allowance for burial purposes.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT TO AUTHORIZE THE TOWN OF LINCOLN TO RELEASE CERTAIN LANDS AND EASEMENTS.

Chap.148

Be it enacted, etc., as follows:

SECTION 1. The town of Lincoln, for the purpose of compromising claims for damages occasioned to any person in his estate by reason of takings of land by the water commissioners of said town, is hereby authorized to release to any such person or to the owner of any estate affected by the said takings such lands and such rights and easements therein as the town may deem proper, and the selectmen are authorized in the name of the town to execute and deliver to any such person or owner such releases, in conformity with this act, as the town may direct by vote.

Certain lands and easements may be released, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap.149 AN ACT RELATIVE TO THE IMPROVEMENT OF BROOKS, STREAMS AND WATER COURSES IN THE CITY OF EVERETT.

Be it enacted, etc., as follows:

Brooks,
streams, etc., in
Everett may be
improved for
drainage pur-
poses, etc.

SECTION 1. The city of Everett, for drainage purposes or for the protection of the public health, may by its city council with the approval of the mayor, improve brooks, streams and water courses, or any part thereof, within the limits of the city, by widening the same, removing obstructions in or over them, diverting the water, altering the courses or deepening the channels thereof, and may conduct any surface or ground water into the same, and may cover or pave any such channel or water course or any part thereof, and may build retaining walls to support the banks of any such stream or water course or any part thereof, within the city of Everett; and for the purpose of carrying out the provisions of this act the city may by vote of the city council duly approved by the mayor, purchase or take land in fee simple or otherwise, on one or both sides of any such brook, stream or water course, or may in the same manner purchase or take land in fee simple or otherwise to form new channels into which said water or any surface or ground water may be diverted, within the limits of said city, and may enter into and upon any land, street or way, and may do thereon work necessary to any such improvement, and may construct upon any land purchased or taken under authority of this act such walks or ways as the city council with the approval of the mayor may determine that the public convenience and necessity require.

Proceedings
when land is
taken.

SECTION 2. When land is taken by virtue of the preceding section the proceedings shall be the same as in the laying out of highways or streets in said city.

Damages.

SECTION 3. Damages occasioned by the making of said improvements or by any taking of land under the provisions of this act shall be ascertained and recovered as in the laying out of highways or streets.

Assessment of
betterments.

SECTION 4. At any time within two years after any brook or natural stream in said city is improved in any of the ways mentioned in the first section of this act, under an order declaring the same to be done under the provisions of law authorizing the assessment of betterments, if in the opinion of the board of aldermen of said

city any real estate in said city, including that, if any, of which a part is taken therefor, receives any benefit or advantage therefrom beyond the general advantage to all real estate in said city, the board may determine the value of said benefit and advantage to such real estate and may assess upon the same a proportionate share of the expense of making such improvement; but no such assessment shall exceed one half of such adjudged benefit and advantage, nor shall the same be made until the work of making such improvement is completed.

SECTION 5. All laws now or hereafter in force relating to the assessment and collection of betterments in the case of the laying out, altering, widening, grading or discontinuing of ways in said city shall, so far as the same are applicable and not inconsistent with the provisions of this act, apply to the doings of the board of aldermen under this act; and all persons who are aggrieved by the assessment of betterments under the provisions of this act shall have the same remedies which now are or may hereafter be provided by law for persons aggrieved by the assessment or levy of betterments in the laying out of ways in said city.

Certain provisions of law to apply, etc.

SECTION 6. No person shall destroy or injure any drainage or sewerage work of said city, or without lawful authority pollute any natural water course in said city or put or maintain any obstruction therein; and whoever violates any provision of this section shall for each offence be punished by a fine not exceeding five hundred dollars, or by imprisonment in the house of correction for a term not exceeding three months, or by both such fine and imprisonment.

Penalty for injury to drainage work, etc.

SECTION 7. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT TO EXTEND THE TIME FOR BUILDING THE BOSTON, QUINCY
AND FALL RIVER RAILWAY.

Chap. 150

Be it enacted, etc., as follows:

SECTION 1. Section sixteen of chapter five hundred and twenty-seven of the acts of the year eighteen hundred and ninety-seven, as amended by chapter one hundred and forty-one of the acts of the year eighteen hundred and ninety-nine, is hereby further amended by striking out the whole of said section and inserting in place thereof

1897, 527, § 16, etc., amended.

Time extended. the following: — *Section 16.* All rights and privileges granted under this act for the purpose of building a railway between Boston and Fall River shall be forfeited, except as to any portion of said railway built, if twenty miles of said railway are not built before the thirty-first day of December in the year nineteen hundred and one. If twenty miles of said railway shall have been built before said thirty-first day of December then all said rights and privileges shall extend until the thirty-first day of December in the year nineteen hundred and two as to the remainder of the route between Boston and Fall River.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap. 151 AN ACT TO EXTEND THE POWERS OF THE INSPECTOR OF PROVISIONS, MILK, BUTTER, CHEESE AND VINEGAR FOR THE CITY OF LYNN.

Be it enacted, etc., as follows:

1892, 369, § 1,
etc., amended.

SECTION 1. Section one of chapter three hundred and sixty-nine of the acts of the year eighteen hundred and ninety-two, as amended by section one of chapter three hundred and thirteen of the acts of the year eighteen hundred and ninety-three, is hereby further amended by striking out in the third and fourth lines, the words “intended for slaughter or kept for the production of milk”, and also by striking out in the twelfth, thirteenth and fourteenth lines, the words “and inspectors of animals intended for slaughter, and inspectors of animals kept for the production of milk”, and inserting in place thereof the words:—and all duties required of inspectors of animals by chapter four hundred and eight of the acts of the year eighteen hundred and ninety-nine, — so as to read as follows: — *Section 1.* The board of health of the city of Lynn, and its successors, is authorized and empowered to appoint an inspector of provisions, and of animals, who shall also be an inspector of milk, butter, cheese and vinegar. Said officer shall be appointed annually in the month of May, and shall hold office until the first Monday of May of the year following, or until his successor is appointed, and may be removed by said board for cause. He shall be under the control of said board, and shall perform all duties now required by inspectors of milk, butter, cheese and vinegar, and inspectors of provisions, and all duties required of inspectors of animals by chapter four hundred and eight of the acts of the year eighteen hundred and ninety-nine, and

Inspector of
provisions, etc.,
for city of Lynn.

shall have all the powers that are now vested in said officers respectively.

SECTION 2. Section seventeen of chapter four hundred and eight of the acts of the year eighteen hundred and ninety-nine, so far as inconsistent herewith, shall not apply to the city of Lynn. 1899, 408, § 17,
not to apply.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT RELATIVE TO THE LOCATION OF THE WALTHAM, AYER AND PEPPERELL STREET RAILWAY COMPANY IN THE TOWN OF CONCORD. Chap.152

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter three hundred and fifty-one of the acts of the year eighteen hundred and ninety-nine is hereby repealed. 1899, 351, § 3,
repealed.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT TO AUTHORIZE THE INTERNATIONAL TRUST COMPANY TO INCREASE ITS CAPITAL STOCK. Chap.153

Be it enacted, etc., as follows:

SECTION 1. The International Trust Company, incorporated under chapter one hundred and fifty-two of the acts of the year eighteen hundred and seventy-nine, is hereby authorized to increase its capital stock from time to time to an amount not exceeding two million dollars: *provided*, that no certificate of shares shall be issued until the par value of such shares has been paid in in cash; and *provided, further*, that the shareholders of said corporation shall be individually responsible, equally and ratably, and not one for the other, for all contracts, debts and engagements of said corporation to the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares. Capital stock
may be in-
creased.

Provisoas.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT RELATIVE TO THE PAYMENT BY RAILROAD COMPANIES OF REBATES ON CASH FARES. Chap.154

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter thirty-two of the acts of the year eighteen hundred and eighty-three is hereby amended by striking out all after the word "cer- 1883, 32, § 2,
amended.

Payment of
rebates on cash
fares.

tificate", at the end of the fifth line,—so as to read as follows:—*Section 2.* When any excess is received as above for a fare or passage, the conductor or other person receiving it shall give to the passenger a printed certificate authorizing him to receive the sum so paid in excess at any station of the corporation, in exchange for said certificate.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap.155 AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Fall
River School
House Loan,
Act of 1900.

SECTION 1. The city of Fall River, for the purpose of constructing and equipping schoolhouses and for the purpose of grading and fencing the land about schoolhouses in said city, may incur indebtedness to an amount not exceeding one hundred thousand dollars, and may from time to time issue bonds, notes or scrip therefor. Said bonds, notes or scrip shall be denominated on their face, City of Fall River School House Loan, Act of 1900, shall be signed by the treasurer and countersigned by the mayor of the city, shall be payable at periods not exceeding twenty-five years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, and shall not be reckoned in determining the limit of indebtedness of the city. The proceeds of the loan shall be used for the purposes of this act and no other.

P. S. 29 to
apply.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes in regard to the establishment and maintenance of a sinking fund shall apply to the loan authorized by this act.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap.156 AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO ISSUE ADDITIONAL WATER WORKS BONDS.

Be it enacted, etc., as follows:

City of Fall
River Water
Works Loan,
Act of 1900.

SECTION 1. The city of Fall River, for the purpose of extending its water works system, may incur indebtedness to an amount not exceeding one hundred thousand dollars, and may from time to time issue bonds, notes or

scrip therefor. Said bonds, notes or scrip shall be denominated on their face, City of Fall River Water Works Loan, Act of 1900, shall be signed by the treasurer and countersigned by the mayor of the city, shall be payable in periods not exceeding thirty years from the date of issue, shall bear interest at a rate not exceeding four per cent per annum, and shall not be reckoned in determining the limit of indebtedness of the city. The proceeds of the loan shall be used for the purposes of this act and no other.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes in regard to the establishment and maintenance of a sinking fund shall apply to the loan authorized by this act. P. S. 29 to apply.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT TO AUTHORIZE TOWNS TO REGULATE BY BY-LAW THE SALE OF CERTAIN ARTICLES BY HAWKERS AND PEDLERS. Chap. 157

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixty-eight of the acts of the year eighteen hundred and eighty-three is hereby amended by striking out the word "may", in the first line; by inserting after the word "ordinance", in the first line, the words: — and any town by by-law may, — and by inserting after the word "ordinance", in the eighth and ninth lines, the words: — or by-law, — also by inserting after the word "city", in the tenth line, the words: — or town, — so as to read as follows: — Any city by ordinance and any town by by-law may make such regulations respecting the exposing for sale and sale within its limits by hawkers and pedlers of any of the articles enumerated in section one of chapter sixty-eight of the Public Statutes, as may be necessary and proper for preserving the public health and securing the peace and comfort of its inhabitants; and may affix penalties not exceeding twenty dollars for one offence for the violation of any such ordinance or by-law; but nothing herein shall be so construed as to authorize any city or town to require the payment of any fee in cases in which such authority is not now given. 1883, 168, amended.

Cities and towns may regulate sale of certain articles by hawkers and pedlers.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap. 158

AN ACT TO INCORPORATE FERNGLADE CEMETERY.

Be it enacted, etc., as follows :

Fernglade
Cemetery in-
corporated.

SECTION 1. Edmund C. Cottle, Charlie A. Jones, Lewis W. Thompson, Edward F. Johnson and John M. Portal, their associates and successors, are hereby made a corporation by the name of Fernglade Cemetery, for the purpose of purchasing, holding and improving a place for the burial of the dead within the limits of the city of Woburn, subject to the approval of the mayor and city council of said city; and said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in all general laws now or hereafter in force relating to such corporations, except as herein-after provided.

May hold cer-
tain real estate
and personal
property.

SECTION 2. Said corporation may acquire and hold real estate in said city for the purposes specified in section one of this act, and may also hold personal property to an amount not exceeding one hundred thousand dollars in addition to any amounts which may be held by it under the provisions of section five of this act.

Payment for
lands pur-
chased, etc.

SECTION 3. Said corporation may agree with a person or persons from whom any lands are purchased for a cemetery to pay therefor a specified share, not exceeding one half of the proceeds of all sales of the use of lots and plats made from such land, and such share shall be first applied to the payment of such purchase money, and the residue thereof shall be applied to the preservation and improvement of the cemetery grounds and to the incidental expenses of the association. Where lands have been so purchased and are to be paid for as provided in this section the prices for the use of lots and plats fixed by the directors and in force when such purchase was made shall not be decreased while the purchase price remains unpaid, without the written consent of a majority in interest of the person or persons from whom the lands were purchased, their heirs, representatives or assigns.

Membership.

SECTION 4. All persons who become proprietors of lots or plats in any land acquired by said corporation shall be members thereof, and whenever any person ceases to be a proprietor of a lot or plat in the land of said corporation he shall cease to be a member thereof.

Grants, be-
quests, etc.

SECTION 5. Said corporation is hereby authorized to take and hold any gift, devise or bequest of property upon

trust, to apply the same or the income thereof for the improvement, embellishment, care and preservation of said cemetery or any part thereof, or for the erection, repair, preservation or removal of any monument or structure therein; and whenever any such grant, devise or bequest, or any deposit of money, shall be made for the perpetual or annual repair, preservation or embellishment of any lot in said cemetery and the monuments or structures thereon, the said corporation may give to such donor an obligation, in such form and on such conditions as it may establish, binding the corporation and its successors to preserve and keep in repair such lot forever, or for such period as may be agreed upon.

SECTION 6. Said corporation shall make and keep maps and accurate records of all lots or graves in said cemetery, and records of all persons interred therein, sufficiently definite to identify each person interred therein and the place of such interment. Said maps and records shall at all proper times be subject to the examination of persons having an interest therein. The corporation shall make an annual report to its lot proprietors of the progress of work and of the condition of its affairs.

Records of lots, etc., to be kept.

SECTION 7. This act shall take effect upon its passage.

Approved March 16, 1900.

AN ACT TO REGULATE THE TAKING OF HERRING AND MACKEREL IN MILL RIVER AND PLUM ISLAND RIVER AND THEIR TRIBUTARIES.

Chap. 159

Be it enacted, etc., as follows:

SECTION 1. No person engaged in taking herring or mackerel, otherwise than with a dip net, in Mill river and its tributaries in the towns of Essex and Ipswich and in the city of Gloucester, or in Plum Island river and its tributaries in the towns of Ipswich, Rowley and Newbury, shall use a net or seine with a mesh the size of which is less than one and three quarters inches.

Taking of herring and mackerel regulated.

SECTION 2. Whoever violates any of the provisions of section one of this act shall be subject to a fine of twenty-five dollars for each offence, and in addition thereto shall forfeit the fish taken in such violation and the apparatus used in taking them.

Penalty.

SECTION 3. Sections one and three of chapter one hundred and five of the acts of the year eighteen hundred and eighty-seven are hereby repealed.

Repeal.

Approved March 16, 1900.

Chap.160 AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AT THE
MEDFIELD INSANE ASYLUM.

Be it enacted, etc., as follows :

Medfield insane
asylum.

SECTION 1. The sum of thirty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for current expenses at the Medfield insane asylum during the year ending on the thirty-first day of December in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1900.

Chap.161 AN ACT TO PROVIDE FOR PROTECTING THE FLOW AND SUPPLY OF
WATER FROM THE CHARLES RIVER INTO AND THROUGH MOTHER
BROOK TO THE NEPONSET RIVER.

Be it enacted, etc., as follows :

Protection of
flow and supply
of water from
Charles river
into Mother
brook, etc.

SECTION 1. For the protection of the flow and supply of water from Charles river into and down Mother brook, formerly called Mill creek, and into Neponset river, to which the owners of mills on said Mother brook and on Neponset river below the junction of said brook with said river, having the privilege of taking water for power therefrom, hereinafter called mill owners, are entitled, proceedings may be taken in the manner hereinafter provided.

Commissioner,
appointment,
powers, etc.

SECTION 2. Upon petition by one or more of said mill owners to the superior court for the county of Norfolk, and after such notice as the court may judge proper to those mill owners who have not joined in the petition, in order that they may be heard, the court shall appoint a suitable person as commissioner, whose duty it shall be to carry out the purposes expressed in section one during the time he shall continue in office ; and to that end he shall have power as often as there is occasion, to do any and all acts, whether by way of removing obstructions from Mother brook or otherwise, which said mill owners, or any of them, or The Proprietors of Mills on Mill-Creek and Neponset River, a corporation created by chapter seventy-seven of the acts of the year seventeen hundred and ninety-seven, would have the right to do if this act had not been passed, in order to secure and protect said flow and supply of water and to prevent the diversion of the same. But nothing contained in this act

shall prevent said mill owners or any of them or said proprietors of mills, at their or its own expense, from doing any or all of said acts until the appointment of said commissioner, or at any time while the office of commissioner may be vacant.

Certain rights of mill owners, etc., not affected.

SECTION 3. The commissioner shall from time to time make a report to said court of his doings under the commission and of the total expense of executing the same, so far as these matters are not included in any previous report, including his charge for services. The commissioner shall in such report assess such total expense among said mill owners, having regard to the value of said flow or supply of water to the mill properties of each of them, the extent of the capacity of each of said mill properties to make use of said water, and the benefit which each owner will derive from the work done by the commissioner. The court may modify or change said assessment and the amounts of the expenses and commissioner's charges for services upon which the same is based, if thereby the same may be rendered more just and equitable. The confirmation of said report by the court shall be an adjudication of the amounts finally assessed against the several mill owners; and the court shall enter its decree for payment to said commissioner on the part of the several mill owners of the amounts assessed against them respectively.

Commissioner to report, etc.

Assessment of expense.

SECTION 4. The superior court may, after notice to all persons interested and a hearing, remove a commissioner appointed under this act; and upon such removal may make such orders and decrees as may be deemed equitable or advisable.

Commissioner may be removed, etc.

SECTION 5. Upon the death, resignation or removal of any commissioner appointed under this act the superior court shall, upon petition and proceedings as specified in section two, appoint a suitable person to fill the vacancy, whose powers and duties shall be the same as those of the commissioner originally appointed.

Vacancy.

SECTION 6. This act shall take effect upon its passage.

Approved March 20, 1900.

AN ACT RELATIVE TO PARADING WITH IMITATION FIREARMS.

Chap.162

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter four hundred and sixty-five of the acts of the year eighteen hundred and

1896, 465, § 6, amended.

Drilling, etc.,
with firearms
restricted, etc.

Proviso.

ninety-five is hereby amended by inserting after the word “teachers”, in the twenty-third line, the words:—and *provided, further*, that any body of men under eighteen years of age may, with the consent of the governor, drill and parade in public with any harmless imitation of firearms which has been approved by the adjutant general, — so as to read as follows:— *Section 6.* No body of men whatsoever, other than the regularly organized corps of the militia, the troops of the United States and the Ancient and Honorable Artillery Company of Boston, shall maintain an armory or associate themselves together at any time as a company or organization, for drill or parade with firearms, in any city or town of this Commonwealth; nor shall any city or town raise or appropriate any money toward arming, equipping, uniforming or in any way supporting, sustaining or providing drill rooms or armories for any such body of men: *provided*, that associations wholly composed of soldiers honorably discharged from the service of the United States may parade in public with arms, upon the reception of any regiments or companies of soldiers returning from said service, and for the purpose of escort duty at the burial of deceased soldiers, having first obtained the written permission so to do of the mayor and aldermen of the cities or selectmen of the towns in which they desire to parade; and *provided, further*, that students in educational institutions where military science is a prescribed part of the course of instruction may, with the consent of the governor, drill and parade with firearms in public, under the superintendence of their teachers, and *provided, further*, that any body of men under eighteen years of age may, with the consent of the governor, drill and parade in public with any harmless imitation of firearms which has been approved by the adjutant general. This section shall not be construed to prevent any organization heretofore authorized thereto by law from parading with sidearms, or to prevent any veteran association comprised wholly of past members of the militia of this Commonwealth from maintaining an armory for the use of the organizations of the said militia from which the said veteran association originated.

SECTION 2. This act shall take effect upon its passage.

Approved March 20, 1900.

AN ACT TO AUTHORIZE THE CITY OF PITTSFIELD TO ISSUE BONDS TO
REFUND ITS OUTSTANDING NOTES AND INDEBTEDNESS. *Chap.163*

Be it enacted, etc., as follows :

SECTION 1. For the purpose of refunding the outstanding notes which were issued by the city of Pittsfield on account of debts incurred in building schoolhouses and in procuring land for such schoolhouses, and for the purpose of paying its other indebtedness incurred in building schoolhouses and in procuring land for such schoolhouses, said city is hereby authorized, by its city council, to issue bonds to an amount not exceeding one hundred and fifty thousand dollars. Such bonds shall be payable at the expiration of periods not exceeding twenty years from their date of issue; shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall be signed by the mayor and treasurer and countersigned by the auditor of the city.

City of Pittsfield may issue bonds, etc.

SECTION 2. The city may authorize temporary loans to be made by its mayor and treasurer in anticipation of the issue of the bonds hereby authorized.

May authorize temporary loans.

SECTION 3. The city instead of establishing a sinking fund may provide that the said bonds shall be payable in such annual amounts as will in the aggregate extinguish the same within the time prescribed in this act.

May provide for annual payments on loan.

SECTION 4. This act shall take effect upon its passage.

Approved March 21, 1900.

AN ACT TO EXTEND THE POWERS OF THE PLYMOUTH AND SANDWICH STREET RAILWAY COMPANY IN THE TRANSPORTATION OF FREIGHT. *Chap.164*

Be it enacted, etc., as follows :

SECTION 1. Section seven of chapter three hundred and nine of the acts of the year eighteen hundred and ninety-eight, as amended by section one of chapter one hundred and thirteen of the acts of the year eighteen hundred and ninety-nine, is hereby amended by striking out the whole of said section and inserting in place thereof the following:—*Section 7.* Said company may, when it has constructed its road for a distance of six miles and up to the terminus of the tracks of the Plymouth and Kingston Street Railway Company, at or near the Hotel Pilgrim at Chiltonville in the town of Plymouth, enter upon and, except for the transportation of passengers,

1898, 309, § 7, etc., amended.

May use certain tracks of the Plymouth and Kingston Street Railway Company, etc.

In case of failure to agree, railroad commissioners may determine conditions, etc.

use with its cars the tracks and power of the Plymouth and Kingston Street Railway Company between said Hotel Pilgrim and the railroad station in the town of Plymouth, upon such terms and conditions and for such compensation as the two companies may agree upon, and subject to such regulations as may from time to time be made by the selectmen of the towns in which said companies operate their roads. If said companies fail to agree upon such terms, conditions and compensation the same may, upon the petition of either company, be submitted to the board of railroad commissioners for its determination; and the finding of said board shall be final and binding upon each of the said companies, and may be enforced by process issuing out of the supreme judicial court or of the superior court.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1900.

Chap. 165 AN ACT TO TRANSFER TO THE PARK COMMISSIONERS OF THE CITY OF CAMBRIDGE ALL THE POWERS AND AUTHORITY NOW VESTED BY LAW IN THE BOARD OF ALDERMEN AND SURVEYOR OF HIGHWAYS IN RELATION TO TREES AND SHRUBS.

Be it enacted, etc., as follows:

Certain powers, etc., transferred to park commissioners of Cambridge.

SECTION 1. All the powers and authority vested by law at the time of the passage of this act in the board of aldermen and surveyor of highways of the city of Cambridge, in respect to trees and shrubs now or hereafter planted or growing in the streets, roads, squares, courts, parks, public gardens and other enclosures in said city, are hereby transferred to and vested in the park commissioners of the city, who shall have exclusive powers to act in respect to the setting out, planting, care, maintenance, removal, cutting and trimming of such trees and shrubs.

Repeal.

SECTION 2. Chapter one hundred and sixty-nine of the acts of the year eighteen hundred and ninety-seven is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1900.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO PROVIDE FREE EVENING LECTURES. *Chap. 166*

Be it enacted, etc., as follows :

Section one of chapter two hundred and eight of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out in the second line, the words "maintaining free evening schools", — so as to read as follows : — *Section 1.* The school committees of cities and towns are hereby authorized to employ competent persons to deliver lectures, on the natural sciences, history and kindred subjects, in such places as said committees may provide. *1893, 208, § 1, amended.*
Cities and towns may provide lectures.

Approved March 21, 1900.

AN ACT TO AUTHORIZE THE TOWN OF ARLINGTON TO ACQUIRE ADDITIONAL LAND FOR SCHOOL PURPOSES. *Chap. 167*

Be it enacted, etc., as follows :

SECTION 1. The board of selectmen of the town of Arlington, acting in behalf of said town, may for the purpose of enlarging the Cutter School lot take by purchase or otherwise land not exceeding about twenty-eight thousand square feet in area on the northwesterly and southwesterly sides of said lot, so as to give said lot when enlarged a frontage of about two hundred feet on Robbins road. *Town of Arlington may take certain land for school purposes.*

SECTION 2. If the lands are taken in any other manner than by purchase or agreement the board of selectmen shall within thirty days of the taking cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a description of the same as certain as is required in a conveyance of land, with a statement of the purpose for which the same are taken, signed by a majority of the board, and the fee in said land so taken or purchased shall vest in said town of Arlington without any right or possibility of reverter to the owners, their heirs or assigns. All damages sustained by any person by reason of such taking shall be paid by said town. If the damages are not agreed upon a jury in the superior court in said county may be had to determine them, in the same manner as in the case of lands taken for highways; but in the case of a taking no suit shall be brought after the expiration of two years from the date of the recording of such taking as herein required. *Description of lands to be recorded.*
Damages.

Form of taking.

SECTION 3. A taking made substantially in the following form shall be valid : — The board of selectmen of the town of Arlington, in the Commonwealth of Massachusetts, acting herein under the authority given by chapter of the acts of the year nineteen hundred, hereby take, in fee, for and in behalf of said town, and for the purpose of enlarging the Cutter School lot, a certain parcel of land situated in said Arlington, bounded as follows : — (here give the description with as much accuracy as is needed in an ordinary conveyance of land) ; said premises being owned or supposed to be owned by of , in the state of .

SECTION 4. This act shall take effect upon its passage.

Approved March 21, 1900.

Chap. 168 AN ACT RELATIVE TO THE RATE OF INTEREST ON OVERDUE TAXES.
Be it enacted, etc., as follows :

P. S. 11, § 67,
amended.

Interest may be
added to unpaid
taxes.

SECTION 1. Section sixty-seven of chapter eleven of the Public Statutes is hereby amended by striking out the whole of said section and inserting in place thereof the following : — *Section 67.* When a city or town has fixed a time within which taxes assessed therein shall be paid, such city by its city council, and such town at the town meeting when money is appropriated or raised, may vote that on all taxes remaining unpaid after a certain time interest shall be paid at a specified rate, not exceeding six per cent per annum ; and the interest accruing under such vote or votes shall be added to and be a part of such taxes.

When to take
effect.

SECTION 2. This act shall take effect upon its passage but shall not apply to taxes assessed before it takes effect.

Approved March 21, 1900.

Chap. 169 AN ACT RELATIVE TO THE MASSACHUSETTS WAR LOAN SINKING FUND.
Be it enacted, etc., as follows :

Massachusetts
War Loan Sink-
ing Fund.

SECTION 1. Any moneys which may hereafter be received in the treasury of the Commonwealth in reimbursement of expenses incurred on account of the Spanish war, together with the amount received from the sale of the hospital ship Bay State during the year eighteen hundred and ninety-eight, shall be paid into and become a part of the Massachusetts War Loan Sinking Fund.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1900.

AN ACT RELATIVE TO BACK STREET IN THE CITY OF BOSTON.

Chap.170

Be it enacted, etc., as follows :

SECTION 1. The city engineer of the city of Boston, with the consent of the Boston and Roxbury Mill Corporation, may grade and cover with asphalt or other material Back street in the city of Boston, from Brimmer street to the sluiceway, so-called, or any part thereof, and may place and maintain a fence upon the wall supporting said street or any part thereof: *provided*, that no expense shall be incurred in carrying out said improvements until the city council of said city shall appropriate money sufficient to pay the cost of any work to be done, as estimated by said city engineer, and that the doing of such work shall not render the city liable for any defect or want of repair in said street or fence.

Back street in Boston may be graded, etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved March 22, 1900.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO ESTABLISH AND MAINTAIN AN INDUSTRIAL SCHOOL.

Chap.171

Be it enacted, etc., as follows :

SECTION 1. The city of Boston is hereby authorized to establish and maintain, or to contribute to the establishment and maintenance of, an institution for giving practical instruction in industrial occupations and in the arts and sciences allied therewith.

City of Boston may establish, etc., an industrial school.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1900.

AN ACT TO PROVIDE FOR THE ADDITION OF A PART OF THE TOWN OF WAKEFIELD TO THE NORTH METROPOLITAN SEWERAGE SYSTEM.

Chap.172

Be it enacted, etc., as follows :

SECTION 1. The territory of the town of Wakefield comprising that part of the town not now provided for in the metropolitan sewerage system is hereby added to the north metropolitan sewerage district, created by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, entitled "An Act to provide for the building, maintenance and operation of a system of sewage disposal for the Mystic and Charles River valleys." In becoming a part of the metropolitan system

Part of town of Wakefield added to the north metropolitan sewerage district, etc.

said addition shall be subject to the provisions and shall conform to the requirements of the aforesaid act and of acts in amendment thereof and in addition thereto, except as herein provided, and the proportionate liability incurred by said addition shall be assumed by the town of Wakefield. Any authority granted to other municipalities by said act or acts in amendment thereof and in addition thereto is also vested in said town of Wakefield.

Outlet to be provided for additional sewage, etc.

SECTION 2. The metropolitan sewerage commissioners shall provide an outlet at the Wakefield town line for the additional sewage of said town, and acting on behalf of the Commonwealth shall construct a main trunk sewer through such parts of the cities of Melrose and Malden as may be necessary, to a point in the north metropolitan system at or near Barrett's pond, as said commissioners may determine, but at a point sufficiently below the grade of the main sewer from Melrose not to impede the flow of sewage from said sewer as it empties into the main sewer in Malden.

Metropolitan sewerage commissioners to exercise certain authority, etc.

SECTION 3. In providing said outlet and in receiving sewage from said addition and said town of Wakefield, and in any action in relation thereto, and for the purpose of taking, constructing and maintaining said additional main lines of sewer, the said board of sewerage commissioners, acting on behalf of the Commonwealth, shall have and exercise all the authority conferred upon them by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine and by acts in amendment thereof and in addition thereto regarding the original system or anything relating thereto, and all the provisions of said chapter are hereby made applicable to this additional taking and construction, except as herein otherwise provided.

Metropolitan Sewerage Loan.

SECTION 4. To meet the expenses incurred under the provisions of this act the treasurer and receiver general shall, with the approval of the governor and council, issue scrip or certificates of debt, in the name and behalf of the Commonwealth and under its seal, to an amount not exceeding one hundred and seventy-five thousand dollars, for a term not exceeding thirty years. Said scrip or certificates of debt shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually on the first days of March and September in each year.

Said interest and scrip or certificates shall be payable and when due shall be paid in gold coin or its equivalent. Said scrip or certificates of debt shall be designated on their faces, Metropolitan Sewerage Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth, redeemable at the time specified therein in gold coin or its equivalent, and shall be sold and disposed of at public auction or in such other mode and at such times and prices and in such amounts and at such rate of interest, not exceeding four per cent per annum, as the treasurer and receiver general with the approval of the governor and council shall deem for the best interests of the Commonwealth. Any scrip or certificates of debt issued under the provisions of this act shall be considered as an addition to and shall become a part of the loan authorized by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, as amended by chapter three hundred and seven of the acts of the year eighteen hundred and ninety-four, and by chapter two hundred and ninety-four of the acts of the year eighteen hundred and ninety-five.

Metropolitan
Sewerage Loan.

SECTION 5. The interest and sinking fund requirements of the moneys expended in constructing the part of the sewerage system as provided for in this act, and the cost of maintenance and operation thereof, shall be deemed and paid as a part of the interest, sinking fund requirements and costs specified in section fifteen of said chapter four hundred and thirty-nine, and the sinking fund established under the provisions of said chapters shall be a sinking fund for the extinguishment of the debt authorized by this act, said funds to be increased in the following manner:—The treasurer and receiver general shall from year to year, beginning with the year nineteen hundred, apportion to said sinking fund an amount sufficient with its accumulations to extinguish the debt at maturity; and in making the assessment for the increase of said sinking fund upon the several cities and towns liable thereto seven two hundred and fortieths of the whole amount shall be assessed in each of the first ten years, beginning with the year nineteen hundred, one thirtieth in each of the next ten years, beginning with the year nineteen hundred and ten, and the remainder shall be equally divided in the next ten years, beginning with the year nineteen hundred and twenty. Any premium realized from the sales of said

Payment of
loan, etc.

scrip or certificates of debt shall be applied to the payment of the interest on said loan as it accrues.

Town of Wakefield to be included in determining proportions to be assessed.

SECTION 6. The commissioners to be appointed by the supreme judicial court under the provisions of section fourteen of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, for the purposes specified in said section, and any other commissioners thereafter appointed for said purposes, shall include the town of Wakefield among the cities and towns whose proportions are to be determined as provided in said section.

Determination of amount to be paid by town until included in a finding of commissioners.

SECTION 7. The board of metropolitan sewerage commissioners, until the town of Wakefield has been included in a finding of commissioners appointed by the supreme judicial court, shall each year determine the amount to be paid by said town in that year as its fair share of the interest, sinking fund requirements and cost of maintenance and operation of said north metropolitan sewerage system, and the same shall be certified by the treasurer and receiver general and paid by said town as provided for payments of proportional parts of such interest, sinking fund requirements and costs by the other cities and towns in said district: *provided, however*, that no part of the cost of maintenance shall be assessed upon said town until its sewers are connected with the north metropolitan system as provided herein.

Proviso.

When to take effect.

SECTION 8. This act shall take effect upon its acceptance by vote of a majority of the legal voters of said town of Wakefield present and voting thereon at a legal meeting called for that purpose. *Approved March 23, 1900.*

Chap.173 AN ACT TO AUTHORIZE THE GRAFTON WATER COMPANY TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows:

May increase capital stock, etc.

SECTION 1. The Grafton Water Company is hereby authorized to increase its capital stock to an amount which, together with the amounts heretofore authorized, shall not exceed ninety-five thousand dollars, and to issue additional bonds to the amount of fifteen thousand dollars, and to secure said bonds by a mortgage on its franchise and property.

Additional water supply to be provided, etc.

SECTION 2. The aforesaid stock and bonds shall be used from time to time for providing such additional water supply for the inhabitants of Grafton, and for making such improvements or extensions in the works of the

said company, as the commissioner of corporations may upon investigation deem reasonably necessary. And no such stock or bonds shall be issued until a certificate has been filed by the commissioner in the office of the secretary of the Commonwealth approving of the issue, specifying the amount, and also specifying the purposes to which the proceeds thereof shall be applied; and the said proceeds shall be applied to no other purposes. No addition to the water supply of the said town or company shall be made without the approval of the state board of health.

Issue of stock or bonds to be approved by commissioner of corporations, etc.

SECTION 3. Nothing contained in the two preceding sections shall be construed to authorize the issue of bonds by said company to an amount exceeding the amount of the capital stock paid in at the time of such issue, whether such bonds are issued under the provisions of this act or under the provisions of chapter two hundred and eleven of the acts of the year eighteen hundred and eighty-six, as amended by chapter ninety-five of the acts of the year eighteen hundred and eighty-seven, and by chapter three hundred and twenty-three of the acts of the year eighteen hundred and eighty-nine.

Not to authorize issue of bonds exceeding a certain amount.

SECTION 4. This act shall take effect upon its passage.

Approved March 23, 1900.

AN ACT TO EXTEND THE TIME AT WHICH THE ACT TO REVISE THE LAWS RELATIVE TO THE DISTRIBUTION OF THE ESTATES OF DECEASED PERSONS SHALL TAKE EFFECT.

Chap. 174

Be it enacted, etc., as follows:

SECTION 1. The time for the taking effect of chapter four hundred and seventy-nine of the acts of the year eighteen hundred and ninety-nine, entitled "An Act to revise the laws relative to the distribution of the estates of deceased persons", is hereby extended to the first day of January in the year nineteen hundred and one.

Time extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1900.

AN ACT RELATIVE TO THE ANNUAL CERTIFICATE WHICH SCHOOL COMMITTEES ARE REQUIRED TO RETURN TO THE STATE BOARD OF EDUCATION.

Chap. 175

Be it enacted, etc., as follows:

Section seventeen of chapter four hundred and ninety-six of the acts of the year eighteen hundred and ninety-

1898, 466, § 17, amended.

School committee to transmit certificate to secretary of state board of education.

eight is hereby amended by striking out the whole of said section and inserting in place thereof the following:—

Section 17. The chairman and the secretary of each school committee shall annually on or before the last day of April transmit to the secretary of the state board of education a certificate filled out, signed and sworn to by them as follows:—

We, the chairman and the secretary of the school committee of _____, hereby certify:—

I. That on the first day of September next preceding the date of this certificate there resided in said town (or city), according to the school census required by law to be taken for that date, the number of _____ persons between the ages of five and fifteen years, and the number of _____ persons between the ages of seven and fourteen years.

II. That the number of pupils in the average membership of the public schools of said town (or city) for the school year next preceding the aforesaid first day of September, as determined by the rules of the state register furnished to said schools, was _____.

III. That said town (or city) raised by taxation and expended during the fiscal year next preceding the date of this certificate the sum of _____ dollars for the support of public schools, including the wages of teachers, the transportation of school children, fuel, the care of fires, school rooms and school premises, supervision, text books and supplies, and school sundries or incidentals, but excluding repairs, alterations and construction of school-houses, as well as contributions for the support of public schools that may be received from the state or from other sources than local taxation.

IV. That said town (or city) maintained during the school year aforesaid for a period of not less than thirty-two weeks each of the schools required to be kept by section one of the act relative to school attendance and truancy [_____].

V. And that said town (or city) maintained during said year a high school [_____] as required by section two of said act, for a period of _____ months _____ days.

Chairman.
Secretary.

ss.

On this day of A.D. 19 , personally appeared the above named chairman and secretary of the school committee of , and made oath that the above certificate by them subscribed is true to the best of their knowledge and belief.

Before me

Justice of the Peace.

Approved March 23, 1900.

AN ACT TO INCORPORATE THE COMMONWEALTH SAVINGS BANK.

Chap.176

Be it enacted, etc., as follows:

SECTION 1. Joseph G. Pinkham, Thomas Campbell, Second, William M. Barney, Frank Hilliard, Frank M. Breed, Joseph W. Harding, Benjamin L. Kimball, A. Justus Johnson, Eugene A. Putnam, Joseph M. Hoyt, Elbridge S. Young, George H. Allen and C. Neal Barney, their associates and successors, are hereby made a corporation by the name of the Commonwealth Savings Bank, with authority to establish and maintain a savings bank in the city of Lynn; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to savings banks and institutions for savings.

Commonwealth Savings Bank incorporated.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

AN ACT TO GIVE THE SUPERIOR COURT EQUITY POWERS IN CASES OF TAKING OR SALE OF REAL ESTATE FOR THE PAYMENT OF TAXES.

Chap.177

Be it enacted, etc., as follows:

SECTION 1. Section seventy-six of chapter three hundred and ninety of the acts of the year eighteen hundred and eighty-eight is hereby amended by inserting after the words "supreme judicial court", in the second and third lines, the words:— or superior court,— so as to read as follows:— *Section 76.* In all cases of taking or sale of real estate for the payment of taxes assessed thereon, the supreme judicial court or superior court shall have equity powers, if relief is sought within five years from the taking or sale.

1888, 290, § 76, amended.

Certain courts to have equity powers in cases of taking, etc., of real estate.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

Chap.178 AN ACT TO APPROVE THE PURCHASE BY THE UNITED STATES OF A TRACT OF LAND ON LONG ISLAND IN BOSTON HARBOR, AND TO CEDE JURISDICTION OVER THE SAME TO THE NATIONAL GOVERNMENT.

Be it enacted, etc., as follows :

The United States may purchase certain land in Boston harbor.

Proviso.

SECTION 1. The consent of the Commonwealth of Massachusetts is hereby granted to the United States of America to purchase a tract of land on Long island in Boston harbor adjacent to the present reservation of the United States, for purposes incidental to fortifications for the defense of the harbor: *provided*, that a plan of the premises purchased shall be filed by the United States in the office of the secretary of the Commonwealth within one year from the passage of this act; and *provided, always*, that the Commonwealth shall retain concurrent jurisdiction with the United States in and over such ceded land, so far as that all civil processes and such criminal processes as shall issue under authority of the Commonwealth may be executed on such ceded land and in any building to be erected thereon, in the same way as though this consent and cession had not been made and granted, and *provided, further*, that whenever such land ceases to be used by the United States for the purposes for which it is acquired the exclusive jurisdiction over it shall revert to and revest in the Commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

Chap.179 AN ACT RELATIVE TO THE APPOINTMENT OF CONSTABLES OF POLICE, DISTRICT AND MUNICIPAL COURTS.

Be it enacted, etc., as follows :

Constables pro tempore may be appointed.

Proviso.

SECTION 1. In all police, district and municipal courts which have only one constable the justice thereof in case of the absence of the constable may appoint a constable pro tempore, who shall have all the powers and perform all the duties of the constable, and shall receive as compensation for each day's service a sum equal to the rate per day of the salary of the constable: *provided*, that the compensation so paid for any excess over fourteen days' service by constables pro tempore in any one calendar year shall be deducted by the county treasurer from the salary of the constable.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

AN ACT RELATIVE TO THE PRINTING AND SALE OF PROBATE INDEXES. *Chap.180*

Be it enacted, etc., as follows :

SECTION 1. When the registers of probate of the several counties deem it expedient they may, with the consent and approval of the county commissioners, cause copies of the indexes, or new indexes to the records existing in the registries of probate in their respective counties, to be printed at the charge of their respective counties, and to be sold at a price not less than the cost of printing, paper and binding.

Probate indexes may be printed and sold.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

AN ACT TO AUTHORIZE THE CITY OF WORCESTER TO BORROW MONEY FOR THE CONSTRUCTION OF SEWERS, OUTSIDE OF THE LIMIT FIXED BY LAW. *Chap.181*

Be it enacted, etc., as follows :

SECTION 1. The city of Worcester is hereby authorized to borrow, outside of the indebtedness to which it is limited by the provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof, the sum of six hundred thousand dollars, at such times and in such amounts as the city council of the city may from time to time by vote direct, to be used for the construction of sewers and for the enlargement of the sewage purification works of the city, under the provisions of chapter one hundred and six of the acts of the year eighteen hundred and sixty-seven and of chapter three hundred and thirty-one of the acts of the year eighteen hundred and eighty-six, and of all acts in amendment thereof. For the money so borrowed the city may issue bonds, notes or scrip, payable within thirty years from the date of issue, in such manner and by such officers as the city council may direct.

City of Worcester may incur indebtedness beyond debt limit, issue bonds, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

AN ACT TO AUTHORIZE THE AMESBURY AND HAMPTON STREET RAILWAY COMPANY TO LEASE ITS RAILROAD AND PROPERTY TO THE CITY OF WORCESTER, HAMPTON AND AMESBURY STREET RAILWAY COMPANY. *Chap.182*

Be it enacted, etc., as follows :

SECTION 1. The Amesbury and Hampton Street Railway Company may lease its railway and property to the

The Amesbury and Hampton Street Railway

Company may
lease its rail-
way, etc.

Exeter, Hampton and Amesbury Street Railway Company for a period not exceeding ninety-nine years, and said Exeter, Hampton and Amesbury Street Railway Company may, after the execution of such lease, operate the said railway as a part of its system. Any lease made by virtue of the authority herein granted shall be subject to the approval of the board of railroad commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1900.

Chap. 183 AN ACT TO AUTHORIZE THE MAKING OF INSURANCE UPON THE HEALTH OF INDIVIDUALS.

Be it enacted, etc., as follows :

1894, 522, § 29,
amended.

SECTION 1. The fifth paragraph of section twenty-nine of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by adding at the end thereof the words : — and to make insurance upon the health of individuals, — so as to read as follows : — Fifth, To insure any person against bodily injury or death by accident, or any person, firm or corporation against loss or damage on account of the bodily injury or death by accident of any person for which loss or damage said person, firm or corporation is responsible, and to make insurance upon the health of individuals.

Insurance
against
accident to
persons and
upon the health
of individuals.

1894, 522, § 31,
etc., amended.

SECTION 2. Section thirty-one of said chapter five hundred and twenty-two, as amended by section two of chapter four hundred and seventy-four of the acts of the year eighteen hundred and ninety-five, and by section two of chapter four hundred and forty-seven of the acts of the year eighteen hundred and ninety-six, and by chapter ninety-two of the acts of the current year, is hereby further amended by inserting after the word “ accident”, in the ninth line, the words : — and health, — and by striking out in the eleventh line, the word “ paragraph”, and inserting in place thereof the word : — paragraphs, — so as to read as follows : —

To transact only
business speci-
fied in charter,
etc.

Section 31. No corporation so formed shall transact any other business than that specified in its charter and articles of association. Companies to insure plate glass may organize with a capital of not less than one hundred thousand dollars. Companies so formed insuring marine or inland risks upon the stock plan shall have a capital of not less than three hundred thousand dollars. Companies so formed for the transaction of fire insurance on the stock

Minimum
capital of stock
companies.

plan, of fidelity insurance, of accident and health insurance, of steam boiler insurance, or for the transaction of the business authorized under the seventh, eighth, ninth or tenth paragraphs of section twenty-nine of this act shall have a capital of not less than two hundred thousand dollars. Companies may be so formed to insure mechanics' tools and apparatus against loss by fire for an amount not exceeding two hundred and fifty dollars in a single risk, with a capital of not less than twenty-five thousand dollars, divided into shares of the par value of ten dollars each.

Mutual companies heretofore organized to transact employers' liability insurance may continue such business under the fifth paragraph of section twenty-nine of this act, and such companies shall be subject to the laws, so far as applicable, in relation to mutual fire insurance companies. No company shall be required to have on deposit with the treasurer of the Commonwealth an amount in excess of what is sufficient to enable it to comply with the laws of the states in which it transacts business; and all sums in excess of this amount held on deposit with the treasurer of the Commonwealth or elsewhere shall be counted as of the surplus funds of the company.

Certain mutual companies may continue business of employers' liability insurance, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1900.

AN ACT TO PROVIDE ADDITIONAL OUTLETS FOR THE SEWAGE OF THE CITIES OF CHELSEA AND EVERETT.

Chap. 184

Be it enacted, etc., as follows:

SECTION 1. The board of metropolitan sewerage commissioners shall provide additional outlets for the sewage of the cities of Chelsea and Everett by extending the metropolitan sewer from its present terminus, near the junction of Eastern avenue and Willoughby street in Chelsea, to and across the boundary line between Chelsea and Everett, in the best manner to serve the sewerage needs of those districts of said cities which are situated in the valley of Snake or Mill creek.

Additional outlets to be provided for sewage of Chelsea and Everett.

SECTION 2. The cities of Chelsea and Everett and any persons and corporations may, subject to the control and under the direction of the said board, make connections with any sewers constructed by the board under the authority of this act.

Connections with sewers.

Metropolitan
sewerage com-
missioners to
exercise certain
authority.

SECTION 3. In providing said outlets and in receiving sewage from said districts, and in any action in relation thereto, and for the purpose of constructing and maintaining said additional main lines of sewer, the said board of sewerage commissioners, acting on behalf of the Commonwealth, shall have and exercise all the authority conferred upon them by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine and by acts in amendment thereof and in addition thereto regarding the original system or anything relating thereto ; and all the provisions of said chapter are hereby made applicable to this additional construction, except as herein otherwise provided.

Metropolitan
Sewerage Loan.

SECTION 4. To meet the expenses incurred under the provisions of this act the treasurer and receiver general shall, with the approval of the governor and council, issue scrip or certificates of debt, in the name and behalf of the Commonwealth and under its seal, to an amount not exceeding ninety thousand dollars, for a term not exceeding thirty years. Said scrip or certificates of debt shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually on the first days of March and September in each year. Said interest and scrip or certificates shall be payable, and when due shall be paid, in gold coin or its equivalent. Said scrip or certificates of debt shall be designated on their face, Metropolitan Sewerage Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth, redeemable at the time specified therein, in gold coin or its equivalent, and shall be sold and disposed of at public auction or in such other mode and at such times and prices and in such amounts and at such rate of interest, not exceeding four per cent per annum, as the treasurer and receiver general with the approval of the governor and council shall deem for the best interests of the Commonwealth. Any scrip or certificates of debt issued under the provisions of this act shall be considered as an addition to and shall become a part of the loan authorized by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, as amended by chapter three hundred and seven of the acts of the year eighteen hundred and ninety-four, and by chapter two hundred and ninety-four of the acts of the year eighteen hundred and ninety-five.

SECTION 5. The interest and sinking fund requirements of the moneys expended in constructing that part of the sewerage system provided for in this act, and the cost of maintenance and operation thereof, shall be deemed and paid as a part of the interest, sinking fund requirements and costs specified in section fifteen of said chapter four hundred and thirty-nine; and the sinking fund established under the provisions of said chapters shall be a sinking fund for the extinguishment of the debt authorized by this act, said funds to be increased in the following manner: — The treasurer and receiver general shall from year to year, beginning with the year nineteen hundred, apportion to said sinking fund an amount sufficient with its accumulations to extinguish the debt at maturity; and in making the assessment for the increase of said sinking fund upon the several cities and towns liable thereto seven two hundred and fortieths of the whole amount shall be assessed in each of the first ten years, beginning with the year nineteen hundred, one thirtieth part in each of the next ten years, beginning with the year nineteen hundred and ten, and the remainder shall be equally divided in the next ten years, beginning with the year nineteen hundred and twenty. Any premium realized from the sale of said scrip or certificates of debt shall be applied to the payment of the interest on said loan as it accrues.

Payment of loan, etc.

SECTION 6. This act shall take effect upon its passage.

Approved March 30, 1900.

AN ACT TO PERMIT FRATERNAL BENEFICIARY CORPORATIONS ORGANIZED UNDER THE LAWS OF THE DOMINION OF CANADA OR ANY PROVINCE THEREOF TO TRANSACT BUSINESS IN THIS COMMONWEALTH.

Chap. 185

Be it enacted, etc., as follows:

SECTION 1. Section eighteen of chapter four hundred and forty-two of the acts of the year eighteen hundred and ninety-nine is hereby amended by inserting after the word "state", wherever it appears in said section, the words: — or the Dominion of Canada or any province thereof, — so as to read as follows: — *Section 18.* Fraternal beneficiary corporations organized under the laws of another state or the Dominion of Canada or any province thereof, and paying only disability and death benefits, and now transacting in this Commonwealth the business defined in this act, may continue such business upon complying with the provisions of this act; and any such cor-

1899, 442, § 18, amended.

Conditions under which certain foreign fraternal beneficiary corporations may do business in this Commonwealth, etc.

Conditions under which certain foreign fraternal beneficiary corporations may do business in this Commonwealth, etc.

poration not now doing business in this Commonwealth may be admitted to do such business when it files with the insurance commissioner a duly certified copy of its charter and articles of association, and a copy of its constitution or laws certified to by its secretary or corresponding officer, together with the appointment of such commissioner as the person upon whom process shall be served as hereinafter provided, and a statement under oath of the president and secretary in the form required by such commissioner of its business for the preceding year, and provided that such corporation shall be shown to be authorized or permitted to do business in the state or the Dominion of Canada or any province thereof in which it is incorporated or organized, and provided that similar corporations organized under the laws of this Commonwealth are authorized to do business in such state or the Dominion of Canada or any province thereof. When any other state or the Dominion of Canada or any province thereof shall impose any obligation in excess of the obligations imposed by this act upon any such corporation of the Commonwealth, the like obligation shall be imposed on similar corporations of such state or the Dominion of Canada or any province thereof doing business in this Commonwealth. The transaction of the business defined in this act by any corporation, association, partnership or individuals, unless organized, continuing or admitted as provided herein, is forbidden.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1900.

Chap. 186

AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY, FOR IMPROVEMENTS AT THE DANVERS INSANE HOSPITAL, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit : —

Third deputy in office of controller of county accounts.

For the salary of the third deputy in the office of the controller of county accounts, as authorized by chapter one hundred and thirty-seven of the acts of the present year, the sum of two hundred dollars, the same to be in

addition to any amount heretofore appropriated for the same purpose.

For compiling, indexing and publishing the records of the Massachusetts troops who served in the revolutionary war, as authorized by chapter two of the resolves of the present year, a sum not exceeding three thousand dollars.

Revolutionary war records.

For additional clerical assistance in the office of the treasurer and receiver general, as authorized by chapter three of the resolves of the present year, a sum not exceeding twenty-five hundred dollars.

Additional clerical assistance.

For the completion of certain improvements at the Danvers insane hospital, as authorized by chapter eight of the resolves of the present year, a sum not exceeding thirteen thousand five hundred dollars.

Danvers insane hospital.

For the Massachusetts Charitable Eye and Ear Infirmary, as authorized by chapter ten of the resolves of the present year, the sum of twenty-five thousand dollars.

Massachusetts Charitable Eye and Ear Infirmary.

For the preservation of war records in the office of the adjutant general, as authorized by chapter thirteen of the resolves of the present year, a sum not exceeding twenty-five hundred dollars.

Preservation of war records.

For certain improvements at the Danvers insane hospital, as authorized by chapter sixteen of the resolves of the present year, a sum not exceeding six thousand seven hundred dollars.

Danvers insane hospital.

For expenses of the commission appointed to fix the positions occupied by Massachusetts troops at the siege of Vicksburg, as authorized by chapter seventeen of the resolves of the present year, a sum not exceeding six hundred dollars.

Commission to fix positions of Massachusetts troops at siege of Vicksburg.

For additional clerical assistance in the office of the tax commissioner, as authorized by chapter eighteen of the resolves of the present year, a sum not exceeding two thousand dollars.

Additional clerical assistance.

For expenses of the state board of bar examiners, as authorized by chapter three hundred and twelve of the acts of the year eighteen hundred and ninety-eight, a sum not exceeding one thousand dollars.

State board of bar examiners.

For expenses of the board of commissioners for the promotion of uniformity of legislation in the United States, the sum of five hundred fifty dollars and seven cents, being the unexpended balance of the twenty-five hundred dollars originally appropriated for the expenses of said board and

Commissioners for the promotion of uniformity of legislation.

- which has reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.
- Statue of the late Major General Joseph Hooker.** For the erection in the state house or on the state house grounds of an equestrian statue in bronze of the late Major General Joseph Hooker, as provided for by chapter forty-three of the resolves of the year eighteen hundred and ninety-six, a sum not exceeding forty-seven thousand dollars, being a re-appropriation, the same having reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.
- Purchase of paper.** For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding ten thousand dollars, the same to be in addition to the thirty-two thousand dollars appropriated by chapter thirty-eight of the acts of the present year.
- Assistant register of probate, etc., county of Bristol.** For the salary of an assistant register of probate and insolvency for the county of Bristol, as authorized by chapter one hundred and forty-four of the acts of the present year, a sum not exceeding eight hundred dollars.
- Clerical assistance.** For clerical assistance to the register of probate and insolvency for the county of Bristol, as authorized by chapter one hundred and forty-four of the acts of the present year, a sum not exceeding two hundred dollars, the same to be in addition to the amount now authorized by law.
- Old Colony Commission.** For such expenses as may be incurred by the Old Colony Commission, as authorized by chapter one hundred and forty-five of the acts of the present year, a sum not exceeding four hundred dollars.
- Training ship Enterprise.** For certain repairs to the training ship Enterprise, as authorized by chapter nineteen of the resolves of the present year, a sum not exceeding fifteen thousand dollars.
- Trustees of Soldiers' Home.** For the Trustees of the Soldiers' Home in Massachusetts, as authorized by chapter twenty of the resolves of the present year, the sum of thirty thousand dollars.
- Witnesses before committees.** For expenses of summoning witnesses before committees of the legislature, and for fees of such witnesses, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1900.

AN ACT TO PROVIDE SCHOOL REGISTERS AND OTHER SCHOOL BLANKS *Chap.187*
FOR THE TOWNS AND CITIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section one of chapter one hundred and eleven of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out the words "one thousand", in the second line, and inserting in place thereof the words: — twelve hundred, — so as to read as follows: — *Section 1.* The board of education may expend annually a sum not exceeding twelve hundred dollars for the printing and distribution of such school registers, school blanks and forms for the returns of school committees as said board is required by law to furnish to the towns and cities of the Commonwealth.

1899, 111, § 1,
amended.

School registra-
ters, blanks,
etc.

Approved April 3, 1900.

AN ACT TO INCREASE THE EFFICIENCY OF THE MILITIA.

Chap.188

Be it enacted, etc., as follows:

SECTION 1. Section twenty-six of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out all to and including the word "drummers", in the thirteenth line, and inserting in place thereof the following: — *Section 26.* To each regiment of infantry there shall be one colonel, one lieutenant colonel, three majors, and a staff, to consist of one surgeon, with the rank of major; one regimental adjutant, one quartermaster, one paymaster, who shall be the mustering officer, and one assistant surgeon, each with the rank of captain; one assistant surgeon, one inspector of rifle practice, one commissary of subsistence, and three battalion adjutants, each with the rank of first lieutenant; and one chaplain. There shall also be a non-commissioned staff, as follows: — One regimental sergeant major, one quartermaster sergeant, one commissary sergeant, one paymaster sergeant, one hospital steward, one drum major, one chief bugler, and three battalion sergeant majors, who shall hold the same relative rank attached to similar positions in the United States army. There shall also be allowed to each regiment two color sergeants, one orderly, to rank as private, and sixteen drummers, to be enlisted and mustered as drummers, — so as to read as follows: — *Section 26.* To each regiment of infantry there shall be one colonel, one lieutenant colonel,

1893, 367, § 26,
amended.

Field and staff
officers, etc.,
regiment of
infantry.

Field and staff
officers, etc.,
regiment of
infantry.

three majors, and a staff, to consist of one surgeon, with the rank of major; one regimental adjutant, one quartermaster, one paymaster, who shall be the mustering officer, and one assistant surgeon, each with the rank of captain; one assistant surgeon, one inspector of rifle practice, one commissary of subsistence, and three battalion adjutants, each with the rank of first lieutenant; and one chaplain. There shall also be a non-commissioned staff, as follows:

— One regimental sergeant major, one quartermaster sergeant, one commissary sergeant, one paymaster sergeant, one hospital steward, one drum major, one chief bugler, and three battalion sergeant majors, who shall hold the same relative rank attached to similar positions in the United States army. There shall also be allowed to each regiment two color sergeants, one orderly, to rank as private, and sixteen drummers, to be enlisted and mustered as drummers. To each separate battalion of cavalry there shall be one major, and a staff, to consist of one surgeon, with the rank of major, one adjutant, one quartermaster, one paymaster, who shall be the mustering officer, one inspector of rifle practice and one assistant surgeon, one veterinary surgeon, each with the rank of first lieutenant, and one chaplain. There shall also be a non-commissioned staff, as follows:—

Battalion of
cavalry.

One sergeant major, one quartermaster sergeant, one hospital steward, one chief bugler and two guidon sergeants. To each separate battalion of artillery there shall be one major, and a staff, to consist of one surgeon with the rank of major, one adjutant, one quartermaster, one paymaster, who shall be the mustering officer, and one assistant surgeon, one veterinary surgeon, each with the rank of first lieutenant, and one chaplain, and whenever a vacancy shall occur in the position of assistant surgeon of the battalion of artillery or the battalion of cavalry, the office of said assistant surgeon shall be abolished. There shall also be a non-commissioned staff, as follows:—One sergeant major, one quartermaster sergeant, one hospital steward, one chief bugler and two guidon sergeants.

Battalion of
artillery.

Regiment of
heavy artillery.

SECTION 2. To each regiment of heavy artillery there shall be one colonel, one lieutenant colonel, three majors, and the staff, non-commissioned staff, headquarter attachés, and drummers prescribed for a regiment of infantry, except that in addition to the staff and non-commissioned staff officers specified in section one of this act there shall be allowed to each regiment of heavy artillery the addi-

tional staff officers provided for in section five of chapter three hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight.

SECTION 3. There shall be allowed to each company of infantry, battery of heavy artillery, battery of light artillery, troop of cavalry, signal and ambulance corps, in addition to the officers and men now provided for by law, one quartermaster sergeant, wherever one is not already prescribed, to rank next after the first sergeant, and one chief cook, to rank as corporal, and to each company of the naval brigade one cook, first class. Company quartermaster sergeants and chief cooks shall be appointed and reduced as prescribed by law for other non-commissioned officers, and all chief cooks shall be examined as to their qualifications for the position, in such manner as the commander-in-chief shall direct, before receiving their warrants.

Additional non-commissioned officers.

SECTION 4. There shall be allowed and paid to chief cooks, and in the naval brigade to cooks, first class, for the duty required in sections ninety-eight, ninety-nine, one hundred and six, one hundred and seven and one hundred and fourteen of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three, the sum of four dollars per day: *provided, however,* that it shall be certified and made to appear, in such form as the commander-in-chief shall prescribe, that in each case the duty of superintending and assisting in the preparation of the food of the company was actually performed by the chief cook in person, during the tour of duty or day of duty for which he is returned for pay; otherwise he shall receive the pay prescribed for other enlisted men of like grade. For duty other than that hereinbefore mentioned a chief cook shall receive the pay and allowances prescribed for other enlisted men of like grade.

Chief and first class cooks, compensation.

Proviso.

SECTION 5. Officers designated in section fifty-eight of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three as recruiting officers of the several corps and commands of the volunteer militia shall also be competent mustering officers for mustering in and administering the prescribed oath of enlistment to all soldiers enlisted by them. Mustering officers shall forward to the commander-in-chief, through the proper military channels, the returns of the enlistment and muster in of soldiers as soon as practicable, and not later than ten days thereafter. Said returns shall be in such form, and

Mustering officers, duties, etc.

accompanied by such certificates, descriptive lists and other information relating to the recruit, as may be required by law or prescribed in orders by the commander-in-chief. But no recruit shall be knowingly and intentionally accepted who is not eligible for enlistment under the law, or who is physically or otherwise below the standard prescribed by the commander-in-chief; and no recruit shall be accepted contrary to the provisions of section sixty-one of the act cited at the beginning of this section; and no recruit having been accepted shall be mustered into the service until all the requirements of the statute law, of the militia regulations, and of all proper orders relating to the enlistment and muster in of soldiers have been complied with.

First sergeants,
appointment,
etc.

SECTION 6. First sergeants shall be appointed by the permanent company, battery, troop or corps commanders, without reference to higher authority, from the duty sergeants of their respective organizations, and may be by said permanent company, battery, troop or corps commanders, returned to the grade of duty sergeant at any time and without the restrictions imposed by section six of chapter four hundred and forty-eight of the acts of the year eighteen hundred and ninety-seven. First sergeants shall be appointed and returned to the grade of duty sergeant by a company order, a copy of which shall be forwarded at once to regimental headquarters; and the relative seniority of first sergeants shall be determined by the dates of the orders appointing them. Section fifty-five of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three, and other acts and parts of acts now in force relating to the appointment and reduction of non-commissioned officers of the volunteer militia, are hereby repealed in so far as they relate to the appointment and reduction or removal of first sergeants and are inconsistent with this act.

SECTION 7. This act shall take effect upon its passage.

Approved April 3, 1900.

Chap. 189 AN ACT RELATIVE TO THE FURNISHING OF SOLDIERS' RELIEF BY CITIES AND TOWNS.

Be it enacted, etc., as follows:

1898, 356, § 1,
amended.

SECTION 1. Section one of chapter three hundred and fifty-six of the acts of the year eighteen hundred and

ninety-eight is hereby amended by inserting after the word "thereto", in the eighth line, the following words: — and in no case arising under the provisions of this act shall such relief be furnished except by, through or under the agency or direction of the officials charged with the disbursement of state or military aid, — so as to read as follows: — *Section 1.* In cases where a person is entitled to soldiers' relief from a city or town, under the provisions of chapter four hundred and forty-seven of the acts of the year eighteen hundred and ninety, it shall be the duty of the mayor and aldermen of such city, or of the selectmen of such town, to furnish such relief, without vote of the city council or of the voters of such town authorizing them thereto; and in no case arising under the provisions of this act shall such relief be furnished except by, through or under the agency or direction of the officials charged with the disbursement of state or military aid. If the mayor and aldermen or the selectmen fail to furnish such relief any person aggrieved may appeal from the action of such municipal authorities to the commissioners of state aid, who shall thereupon forthwith make a thorough investigation of the qualifications and circumstances of the applicant, and shall determine the amount of relief, if any, to be given to said applicant. Decisions of said commissioners shall be final, except that said board may at any time reverse or amend its decisions.

Soldiers' relief to be furnished to certain persons.

Appeal may be made to commissioners of state aid.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1900.

AN ACT TO AUTHORIZE THE TOWN OF WEST SPRINGFIELD TO MAKE AN ADDITIONAL WATER LOAN. *Chap. 190*

Be it enacted, etc., as follows:

SECTION 1. The town of West Springfield, for the purpose of renewing and extending its water works system, may issue from time to time bonds, notes or scrip to an amount not exceeding fifty thousand dollars. Such bonds, notes or scrip shall bear on the face thereof the words, West Springfield Water Loan, Act of 1900, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding four per cent per annum, and shall be signed by the treasurer and countersigned by the selectmen of the town. The town

West Springfield Water Loan, Act of 1900.

Sinking fund. shall pay the interest on said loan as it accrues and shall provide at the time of contracting the loan for the establishment of a sinking fund, and shall contribute to that fund such sums as will in the aggregate be sufficient with the accumulations thereof to pay the principal of the loan at maturity. The sinking fund shall remain inviolate and pledged to the payment of the loan and shall be used for no other purpose.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1900.

Chap.191

AN ACT RELATIVE TO THE TRUSTEE PROCESS.

Be it enacted, etc., as follows:

P. S. 183, § 30,
amended.

Exemption in
cases of attach-
ment of wages
under trustee
process.

SECTION 1. Section thirty of chapter one hundred and eighty-three of the Public Statutes is hereby amended by adding at the end of said section the words:— provided the writ contains a statement showing the demand to be for such necessities; otherwise in such cases there shall be so reserved a sum not exceeding twenty dollars,— so as to read as follows:— *Section 30.* When wages for the personal labor and services of a defendant are attached for a debt or demand other than for necessities furnished to him or to his family, there shall be reserved in the hands of the trustee a sum not exceeding twenty dollars, which shall be exempt from such attachment; and when such wages are attached on a demand for such necessities, there shall be so reserved a sum not exceeding ten dollars, provided the writ contains a statement showing the demand to be for such necessities; otherwise in such cases there shall be so reserved a sum not exceeding twenty dollars.

To take effect
July 1, 1900.

SECTION 2. This act shall take effect on the first day of July in the year nineteen hundred.

Approved April 3, 1900.

Chap.192

AN ACT TO CHANGE THE NAME OF THE MASSACHUSETTS HOSPITAL FOR CONSUMPTIVES AND TUBERCULAR PATIENTS.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of the Massachusetts hospital for consumptives and tubercular patients is hereby changed to Massachusetts State Sanatorium.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1900.

AN ACT RELATIVE TO CERTAIN GRADE CROSSINGS IN THE CITIES OF *Chap.193*
BOSTON AND CAMBRIDGE.

Be it enacted, etc., as follows :

SECTION 1. Section three of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out the whole of said section and inserting in place thereof the following : — *Section 3.* This act shall have the same effect which decrees of said court confirming said reports amended as aforesaid would have under the provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and acts in amendment thereof; which chapter and acts, together with the provisions of chapter nineteen of the Public Statutes, shall, so far as not inconsistent herewith, apply to and govern the proceedings in connection with the abolition of said crossings as if the said reports had been confirmed by said court; except however that a petition for the assessment of damages under said acts may be brought within one year from the time when copies of said reports are filed for record by the clerks of said court in the proper registries of deeds.

1899, 421, § 8,
amended.

Certain provisions of law to
apply, etc.

SECTION 2. It shall be the duty of the clerks of the superior court for the county of Suffolk and for the county of Middlesex to file forthwith in the registry of deeds for the county of Suffolk and in the registry of deeds for the county of Middlesex, southern district, copies of the reports of the commissioners referred to in sections one and two of said chapter four hundred and twenty-one and filed in said court on the twenty-ninth day of March in the year eighteen hundred and ninety-nine.

Copies of reports of commissioners to be
filed.

SECTION 3. This act shall take effect upon its passage.

Approved April 3, 1900.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE INNER CHANNEL OF LEWIS BAY. *Chap.194*

Be it enacted, etc., as follows :

SECTION 1. The board of harbor and land commissioners is hereby directed to improve the channel through the inner basins of Lewis bay in the towns of Barnstable and Yarmouth, by dredging the same to the depth of six

Inner channel
of Lewis bay to
be improved.

feet at mean low water, substantially in accordance with the plan recommended in its annual report.

Necessary land or materials may be taken, etc.

SECTION 2. Said board may take by purchase or otherwise, in the name and behalf of the Commonwealth, any land or materials necessary for the improvement of said channel, and the manner of such taking and of determining the damages caused thereby or by any doings of said board under the provisions of this act shall be the same as are provided by sections seven and eight of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three relative to the taking of land by the metropolitan park commission; and said board shall for the purposes of this act have all the powers conferred upon the metropolitan park commission by said sections. The damages when finally determined shall be paid from the treasury of the Commonwealth to the person or persons entitled thereto.

Appropriation.

SECTION 3. The sum of twelve thousand five hundred dollars is hereby appropriated for the purposes of this act, to be paid out of the treasury of the Commonwealth.

SECTION 4. This act shall take effect upon its passage.

Approved April 3, 1900.

Chap. 195 AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO PAY A SUM OF MONEY TO ANNA W. WASON.

Be it enacted, etc., as follows:

Certain sum may be paid to widow of Henry T. Wason.

SECTION 1. The school committee of the city of Boston is hereby authorized to pay to Anna W. Wason, widow of Henry T. Wason late sub-master in the Brimmer school in that city, the sum of three hundred and eighty-nine dollars and fifty cents, being the amount of unpaid salary actually earned by him, though payment thereof had not become due at the time of his death.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1900.

Chap. 196 AN ACT TO AUTHORIZE THE BOARD OF PARK COMMISSIONERS OF THE CITY OF MEDFORD TO ABANDON CERTAIN LANDS ACQUIRED BY IT FOR PARK PURPOSES.

Be it enacted, etc., as follows:

Certain lands, etc., may be abandoned by park commissioners of Medford, etc

SECTION 1. The board of park commissioners of the city of Medford, with the concurrence of a majority of the metropolitan park commission, may, by deed executed,

acknowledged and recorded according to the laws of the Commonwealth, accompanied by a plan or survey also to be recorded, abandon any part of the lands or rights in land taken or acquired by it on, along or near Mystic river by its takings of November twenty-nine, in the year eighteen hundred and ninety-nine, descriptions whereof are duly recorded in the registry of deeds for the county of Middlesex, southern district, and such abandonment shall revert the title to such lands or rights as if they had never been taken, in the persons, their heirs and assigns, in whom it was vested at the time of taking. Such abandonment may be pleaded in reduction of damages in any suit on account of said takings.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1900.

AN ACT RELATIVE TO THE TRANSPORTATION OF SCHOLARS OF THE
PUBLIC SCHOOLS BY STREET RAILWAY COMPANIES.

Chap. 197

Be it enacted, etc., as follows :

SECTION 1. The rates of fare charged by street or elevated railway companies in this Commonwealth for the transportation of scholars of the public schools between any given point from or to which it is necessary for them to ride in travelling to and from the schoolhouses in which they attend school, and their homes, whether such schoolhouses are located in the city or town in which the scholars reside or in any other city or town, shall not exceed one half the regular fare charged by such street or elevated railway company for the transportation of other passengers between said points.

Transportation
of scholars of
public schools.

SECTION 2. Tickets for the transportation of scholars as aforesaid shall be sold in lots of ten each, and shall be received on said street and elevated railways during the days on which said schools are in session.

Tickets.

SECTION 3. Any railway company violating this act by refusing to transport a scholar or to furnish a package of tickets as aforesaid shall forfeit the sum of twenty-five dollars for each offence.

Penalty.

SECTION 4. This act shall take effect upon its passage, but for the term of twenty-five years from the tenth day of June in the year eighteen hundred and ninety-seven it shall not apply to the Boston Elevated Railway Company or to any railways now owned, leased or operated by it.

When to take
effect.

Approved April 4, 1900.

Chap.198 AN ACT TO CHANGE THE NAME OF THE COUNTY OFFICE OF SPECIAL COMMISSIONER TO THAT OF ASSOCIATE COMMISSIONER.

Be it enacted, etc., as follows :

Associate com-
missioners.

The county officers designated as special commissioners shall hereafter be designated as associate commissioners, and they shall have all the powers and duties and be subject to all the restrictions now conferred or imposed upon the said special commissioners. *Approved April 4, 1900.*

Chap.199 AN ACT TO CHANGE THE NAME OF THE FITCHBURG LOAN, TRUST AND SAFETY DEPOSIT COMPANY.

Be it enacted, etc., as follows :

Name changed.

SECTION 1. The name of the Fitchburg Loan, Trust and Safety Deposit Company, incorporated by chapter two hundred of the acts of the year eighteen hundred and ninety-five, is hereby changed to Fitchburg Trust Company.

When to take
effect.

SECTION 2. This act shall take effect on the first day of February in the year nineteen hundred and one.

Approved April 4, 1900.

Chap.200 AN ACT TO CHANGE THE NAME OF THE BROOKS LIBRARY ASSOCIATION, IN THE TOWN OF HARWICH.

Be it enacted, etc., as follows :

Name changed.

SECTION 1. The name of the Brooks Library Association, of Harwich, Massachusetts, is hereby changed to the Broadbrooks Free Library Association.

Grants, be-
quests, etc.

SECTION 2. All gifts, grants, bequests and devises heretofore or hereafter made to the said corporation by either of said names shall vest in the Broadbrooks Free Library Association.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1900.

Chap.201 AN ACT RELATIVE TO THE LICENSING OF ENGINEERS AND FIREMEN.

Be it enacted, etc., as follows :

1899, 268, § 4,
amended.

SECTION 1. Section four of chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out all after the word "other", in the seventeenth line, and inserting in

place thereof the following : — but no person shall be examined for a special license for a particular plant unless a written request for such examination, signed by the owner or user of said plant, is filed with the application, — so as to read as follows : — *Section 4.* Licenses shall be granted according to the competency of the applicant, and shall be distributed in the following classes : — Engineers' licenses : — First class, unlimited in horse power. Second class, to have charge of and operate any boiler or boilers and any engine not exceeding one hundred and fifty horse power. Third class, to have charge of and operate any single boiler and any engine not exceeding fifty horse power. Firemen's licenses : — First, to operate any boiler or boilers. Second, to have charge of and operate low pressure heating boilers where the pressure carried is less than twenty-five pounds to the square inch. Any person desiring to have charge of or to operate any particular steam plant or type of plant, may be examined as to his competency for such service and no other, and if found competent and trustworthy shall be granted a license for such service and no other ; but no person shall be examined for a special license for a particular plant unless a written request for such examination, signed by the owner or user of said plant, is filed with the application.

Engineers and
firemen, classi-
fication of
licenses.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1900.

AN ACT TO AUTHORIZE THE CITY OF CHELSEA TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR PUBLIC BUILDINGS AND FOR SCHOOL PURPOSES.

Chap.202

Be it enacted, etc., as follows :

SECTION 1. The city of Chelsea, for the purpose of purchasing land and erecting thereon a high school building, for furnishing the same, and for other school purposes, and for erecting a fire station and enlarging the Spencer Avenue schoolhouse, may incur indebtedness beyond the limit fixed by law to an amount not exceeding two hundred thousand dollars. Said city may from time to time issue bonds, notes or scrip to this amount, to be denominated on the face thereof, City of Chelsea Public Improvement Loan, Act of 1900, and may make said bonds, notes or scrip, with any renewals of the same, payable upon any date not later than the thirty-first day

City of Chelsea
Public Improve-
ment Loan,
Act of 1900.

Sinking fund.

of December in the year nineteen hundred and twenty-five, and shall at the time of said issue establish a sinking fund and contribute thereto from year to year an amount raised annually by taxation sufficient with its accumulations to pay said bonds, notes or scrip, on the thirty-first day of December in the year nineteen hundred and twenty-five. Any premiums received from sales of said bonds, notes or scrip, shall be paid into the sinking fund to be established for the purpose of extinguishing at maturity the debt hereby created.

Repeal.

SECTION 2. Section four of chapter two hundred and eighteen of the acts of the year eighteen hundred and ninety-seven is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1900.

Chap.203 AN ACT TO EXTEND THE TIME FOR THE ORGANIZATION OF THE TAUNTON SAFE DEPOSIT AND TRUST COMPANY.

Be it enacted, etc., as follows :

Time extended.

The Taunton Safe Deposit and Trust Company, incorporated by chapter four hundred and sixty-eight of the acts of the year eighteen hundred and ninety-seven, may organize and begin business at any time before the first day of January in the year nineteen hundred and one.

Approved April 4, 1900.

Chap.204 AN ACT TO PROVIDE FOR HOLDING A MEETING OF MEMBERS OF SAINT JOSEPH'S HOME, IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Members of
Saint Joseph's
Home may hold
a meeting, etc.

SECTION 1. John J. Williams, Charles F. Donnelly and Patrick Donahoe, the only surviving members of Saint Joseph's Home, a corporation organized under chapter one hundred and eighty-five of the acts of the year eighteen hundred and sixty-seven, and situated in Boston, or a majority of them, are hereby authorized to call and hold a meeting of said corporation, at which new members and officers may be chosen, by-laws concerning meetings and elections may be amended, and general business transacted: *provided*, that said meeting is called by a notice signed by a majority of said three members, and setting forth the time, place and purposes of such meeting, a copy of which notice shall be delivered or mailed

to all the members of said corporation at least seven days prior to the time appointed for the meeting.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1900.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF NEW BUILDINGS AT
THE MASSACHUSETTS HOSPITAL FOR EPILEPTICS. *Chap. 205*

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the Massachusetts hospital for epileptics is hereby authorized to expend a sum not exceeding twenty-five thousand four hundred and fifty dollars, for the following purposes:—For the erection of a boiler house, to contain a battery of six boilers, and for placing therein two suitable boilers, and for making the necessary connection with the present plant to heat the buildings not already heated by it, a sum not exceeding twenty-five thousand dollars; and for the purchase of a stone quarry, a sum not exceeding four hundred and fifty dollars.

Massachusetts
hospital for
epileptics.

SECTION 2. To meet the expenses incurred under the provisions of this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding twenty-five thousand four hundred and fifty dollars, for a term not exceeding thirty years. Such scrip or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest not exceeding four per cent per annum, payable semi-annually on the first days of May and November in each year. They shall be designated on the face thereof, Hospital for Epileptics Loan, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the Commonwealth; and the principal and interest shall be paid at the times specified therein in gold coin of the United States or its equivalent. Such scrip or certificates of indebtedness shall be sold or disposed of at public auction, or in such other mode, and at such times and prices, and in such amounts, and at such rates of interest, not exceeding the rate above specified, as shall be deemed best by the said treasurer. The sinking fund established by chapter three hundred and ninety-one of the acts of the year eighteen hundred and seventy-four, known as the Prison and Hos-

Hospital for
Epileptics Loan.

Sinking fund.

pital Loan Sinking Fund, shall also be maintained for the purpose of extinguishing bonds issued under the authority of this act; and the treasurer and receiver general shall apportion thereto from year to year an amount sufficient with the accumulations of said fund to extinguish at maturity the debt incurred by the issue of said bonds. The amount necessary to meet the annual sinking fund requirements and to pay the interest on said bonds shall be raised by taxation from year to year.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1900.

Chap.206 AN ACT RELATIVE TO THE OPERATING OF THE DRAW IN THE BRIDGE ACROSS TAUNTON GREAT RIVER BETWEEN THE CITY OF FALL RIVER AND THE TOWN OF SOMERSET.

Be it enacted, etc., as follows:

Alteration of
draw in bridge
across Taunton
Great river.

SECTION 1. The board of railroad commissioners shall, before the first day of July in the year nineteen hundred, prescribe the manner in which the draw of the highway and railroad bridge across Taunton Great river between the city of Fall River and the town of Somerset shall be altered so as to be operated by steam or electric power, and the time within which such alterations shall be made; and shall also at the same time determine by whom such alterations shall be made, and the corporations, cities and towns by which, and the proportions in which, the cost of making such alterations and of operating said draw thereafter in the manner prescribed, shall be borne and paid.

Repeal.

SECTION 2. So much of chapter two hundred and ninety-five of the acts of the year eighteen hundred and seventy-two as is inconsistent with this act is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1900.

Chap.207 AN ACT TO AUTHORIZE THE CITY OF MALDEN TO TAKE LAND AND ISSUE BONDS FOR THE PURPOSE OF IMPROVING CERTAIN NATURAL WATER WAYS.

Be it enacted, etc., as follows:

Brooks, etc.,
in Malden may
be improved for
drainage pur-
poses.

SECTION 1. The city of Malden, for the purpose of surface drainage, may by its board of street commissioners improve the brooks and natural streams or any

part thereof flowing in or through the city, by widening the same, removing obstructions in or over them, diverting the water, or by altering the courses or deepening the channels thereof, and may conduct the water of any such brook or stream through pipes or conduits, or convert the same, whether in its original channel or after the alteration of the course of the same, wholly or in part into a covered conduit; and for the purposes aforesaid may from time to time purchase or take land in fee simple or otherwise, not exceeding four rods in width, or any right or easement in land, including any brook or stream, or part or parts of any brook or stream, which may be wholly or partly within the boundaries of any land so purchased or taken, and may change the course of any brook or stream so that it shall flow within said taking, and may by the construction of drains or otherwise divert any surface water into any brook upon which they may so enter; and for the purposes of this act may conduct any stream or drain across any railroad, street or way, without unnecessarily obstructing the same, and may enter into and upon any land, street or way, and do any work thereon which the board may deem necessary for said purposes, and may make such improvements on the land so taken or purchased as the board shall deem necessary for the protection of public health and for protecting such brooks or streams against pollution, and may construct such walks or ways thereon as they may deem to be required for public convenience, and may also enter upon the location of any railroad corporation, by agreement with said corporation, for the purpose of improving, in the manner hereinbefore provided, brooks and natural streams flowing at the side of the tracks and within said location, and may do any work thereon which said board shall deem necessary; and for the purposes of this act may enter into any contracts or agreements with any person or corporation.

May take certain land, rights or easements, etc.

SECTION 2. When land is taken as provided in the above section, otherwise than by purchase, the board shall, within thirty days after such taking, cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a description of the same as certain as is required in a conveyance of land, together with a statement that the same is taken pursuant to the provisions of this act, which description and statement shall be signed by a majority of said board. All claims for

Description of land to be recorded, etc.

Damages. damages sustained by the taking of lands under this act, otherwise than by purchase, or by the entering upon land or upon any brook or stream, and the doing thereon or therein of any act herein authorized, shall be ascertained and recovered in the manner now provided by law in the case of land taken for highways: *provided*, that, except in the case of lands taken under the provisions providing for the assessment of betterments, in estimating the damages sustained by any person by the taking of his land or by any act done by virtue of this act there shall be allowed by way of set-off the benefit, if any, to the property of such person resulting from the taking of such land or from any act so done.

Grade of certain land may be raised, etc.

SECTION 3. Said board of street commissioners may from time to time order the owners of land in said city, the whole or a part of the surface of which is in the opinion of said board so low that it cannot properly be drained, to raise the grade of such land or any part thereof, by filling the same to a grade established by said board, and to raise the grade of any private street, court or way or any part thereof upon said land; such filling shall be done with materials satisfactory to said board, with reference to a complete drainage of such land, so as to prevent and abate nuisances and to preserve the health of the city.

Street commissioners may raise grade in certain cases, etc.

SECTION 4. All orders and proceedings provided for in section three shall be made and served as provided by section twenty-two of chapter eighty of the Public Statutes, and if the owner of any such land fails to comply with any such order within six months after the service thereof the said board may raise the grade of such land and of any private street, way or court thereon, filling the same with good material to the grade authorized by the preceding section and specified in the order; and all necessary expenses incurred thereby shall be a lien upon the land so filled, and a lien equally upon the land abutting upon either side of any private street, court or way so filled, and a lien upon all buildings upon such land, and may be collected, and the city collector may purchase such lands and buildings, in behalf of said city, in the same manner as is provided by law for the collection of taxes upon real estate, and in the case of land sold for taxes.

Apportionment of assessments, etc.

SECTION 5. If the owner of any estate so assessed for such expenses desires to have the amount of the assess-

ment apportioned he shall give notice in writing of such desire to said board at any time before a demand is made upon him for payment thereof, or at any time not exceeding thirty days after such demand, and said board shall thereupon apportion the said amount into three equal parts, which apportionment shall be certified to the assessors of said city, and the assessors shall each year for three years next ensuing, in addition to the annual tax on the estate, include in their warrant to the collector one of such annual parts, with interest thereon from the date of the apportionment, which part shall be collected and the lien therefor enforced in the same manner and with like charges for costs and interest, and with the same right in the collector to purchase said land in behalf of the city, as are provided by law in the case of the collection of taxes upon real estate.

Apportionment
of assessments,
etc.

SECTION 6. Any person entitled to any estate in any land the grade of which shall be raised, as provided in this act, who is dissatisfied with the assessment of the cost of raising such grade may, within six months after receiving notice of such assessment, petition the superior court for the county of Middlesex for a jury; and said court shall thereupon order a jury, who may revise such assessments, in the manner prescribed in chapter forty-nine of the Public Statutes.

Persons dissatisfied may petition for a jury.

SECTION 7. Instead of making such complaint any person dissatisfied with the assessment of the cost of raising the grade of his land may give notice thereof in writing to the said board within sixty days after he receives notice of the assessment, and the city shall thereupon take his said land, and shall, within sixty days thereafter, file in the registry of deeds for the county of Middlesex, southern district, a description of the land so taken as certain as is required in a common conveyance of land, together with a statement that the same is taken pursuant to the provisions of this act, which description and statement shall be signed by a majority of said board; and the title to the land so taken shall vest absolutely in the city.

City may take land of dissatisfied persons in certain cases, etc.

SECTION 8. If any person whose land is taken under the preceding section agrees with the city as to the damages sustained by him by reason of such taking, making due allowance for the improvement of raising the grade of such land, the same shall forthwith be paid to him by the city. If any such person shall not so agree he may

Damages.

at any time within six months from the filing of such description and statement apply to the superior court for the county of Middlesex, as provided in section six of this act, for a jury to determine such damages, making due allowance for the improvement of raising the grade of his land; and the proceedings shall be as provided in said section.

Assessment of betterments, etc.

SECTION 9. At any time within two years after any brook or natural stream in said city is improved or any land is filled in any of the ways provided in this act, under an order declaring the same to be done under the provisions of law authorizing the assessment of betterments, if in the opinion of the said board any real estate in said city, including that, if any, a part of which is taken therefor, receives any benefit or advantage therefrom beyond the general advantage to all real estate in the city, the board may determine the value of said benefit and advantage to such real estate, and may assess upon the same a proportional share of the expense of making such improvement, but no such assessment shall exceed one half of such adjudged benefit and advantage, nor shall the same be made until the work of making the improvement is completed; and all laws now or hereafter in force relating to the assessment or collection of betterments in the case of the laying out, altering, widening, grading or discontinuing of highways shall, so far as the same are applicable and not inconsistent with the provisions of this act, apply to the doings of the city and its officers under this act; and all persons upon whose estates betterments shall be assessed under the provisions of this act, who are aggrieved thereby, shall have the same remedies now or hereafter provided by law in the case of persons aggrieved by the assessment of betterments in the laying out of highways.

No work to be undertaken, etc., until appropriation is made.

SECTION 10. No work or act herein authorized shall be undertaken, or contract therefor be made, or land be purchased or taken, as herein authorized, until an appropriation has been made by the city council of the city of the moneys to be expended.

Malden Surface Drainage Loan.

SECTION 11. For the purpose of paying the expenses incurred from time to time by the city under this act, except for the construction of walks or ways, said city may, by votes passed from time to time in the manner provided by section seven of chapter twenty-nine of the

Public Statutes, authorize the issue of negotiable bonds or certificates of indebtedness to an amount not exceeding two hundred thousand dollars, payable in not more than thirty years from their dates, and bearing interest at a rate not exceeding four per cent per annum, to be denominated on the face thereof, Malden Surface Drainage Loan. The debt authorized by this act shall not be

Not to be reckoned in determining debt limit.

reckoned in determining the limit of indebtedness of the city under the provisions of section four of chapter twenty-nine of the Public Statutes, as amended by section two of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five and amendments thereof.

SECTION 12. The city shall on issuing any such bonds or certificates of indebtedness establish a sinking fund and apportion thereto from year to year an amount sufficient with its accumulations to extinguish the debt at maturity. Such sinking fund and its accumulations shall be used for no other purpose than the payment of such debt. Any premium realized from the sale of such bonds or certificates of indebtedness shall be applied to the payment of the interest on said amount as it accrues.

Sinking fund.

SECTION 13. This act shall take effect upon its passage.

Approved April 5, 1900.

AN ACT TO AUTHORIZE MILTON ACADEMY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE, AND TO CHANGE THE MEMBERSHIP OF ITS BOARD OF TRUSTEES.

Chap. 208

Be it enacted, etc., as follows :

SECTION 1. Milton Academy is hereby authorized to hold real and personal estate to an amount not exceeding five hundred thousand dollars.

May hold additional real and personal estate.

SECTION 2. Section five of "An Act for establishing an academy in the Town of Milton, by the name of Milton Academy", approved March 3, 1798, is hereby amended by striking out the words "and that a majority of said trustees shall consist of men who are not inhabitants of the town of Milton", so as to read as follows : — *Section 5.* *Be it further enacted,* That the number of the said trustees shall not, at one time, be more than fifteen nor less than nine; five of whom shall constitute a quorum to do business.

Act establishing Milton Academy amended.

Trustees, quorum.

SECTION 3. This act shall take effect upon its passage.

Approved April 5, 1900.

Chap.209 AN ACT TO REGULATE THE SHOOTING OF BLACK DUCK, GEESE, BRANT AND OTHER AQUATIC BIRDS IN PLYMOUTH HARBOR OR BAY.

Be it enacted, etc., as follows :

Shooting of aquatic birds in Plymouth harbor or bay regulated.

SECTION 1. Whoever within the limits of Plymouth harbor or bay, so-called, including the waters adjacent to the towns of Plymouth, Kingston and Duxbury, shoots at or kills or pursues a black duck, goose, brant or other aquatic bird, by the use of any sneak boat, raft, floating box or device of like description, not including what is known as an ordinary dory or row boat, or by the use of any pivot gun or swivel gun, or any other firearm not usually held at and discharged from the shoulder, shall be punished by a fine of not less than ten nor more than fifty dollars.

Repeal.

SECTION 2. Chapter two hundred and sixty-nine of the acts of the year eighteen hundred and eighty-eight is hereby repealed.

Approved April 5, 1900.

Chap.210 AN ACT TO EXTEND THE TIME WITHIN WHICH THE AMHERST AND SUNDERLAND STREET RAILWAY COMPANY MAY CONSTRUCT ITS ROAD.

Be it enacted, etc., as follows :

1896, 111, § 8, etc., amended.

Section eight of chapter one hundred and eleven of the acts of the year eighteen hundred and ninety-six, as amended by chapter one hundred and fourteen of the acts of the year eighteen hundred and ninety-eight, is hereby amended by striking out in the fifth line, the word "four", and inserting in place thereof the word : — six, — so as to read as follows : — *Section 8.* The provisions of this act shall become void so far as relates to the right of said company in any town where no portion of the proposed road has been built and put in operation at the end of six years from the passage of this act.

To become void under certain conditions.

Approved April 5, 1900.

Chap.211 AN ACT TO AUTHORIZE THE CITY OF MARLBOROUGH TO MAKE A NEW DIVISION OF WARDS.

Be it enacted, etc., as follows :

City of Marlborough may make a new division of wards.

SECTION 1. The city of Marlborough may, before the first day of May in the year nineteen hundred, by vote of its city council, make a new division of its territory

into the number of wards fixed by section thirty-seven of chapter three hundred and twenty of the acts of the year eighteen hundred and ninety. The boundaries of such wards shall be so arranged that the wards shall contain, as nearly as can be ascertained and as may be consistent with well defined limits to each ward, equal numbers of voters.

SECTION 2. This act shall take effect upon its passage.

Approved April 5, 1900.

AN ACT RELATIVE TO A SYSTEM OF SEWERAGE AND SEWAGE DISPOSAL FOR THE TOWN OF GARDNER.

Chap. 212

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter sixty-four of the acts of the year eighteen hundred and ninety is hereby amended by inserting after the word "town", in the fourth line, the words:—They may from time to time adopt a system or systems of sewerage and sewage disposal for any part or parts of the town not included in the system adopted by the town, or extend the system adopted by the town, or alter or amend the same or any other system that may be adopted by them, as public necessity and convenience may require,—also by adding at the end of said section the words:—or any extension, alteration or amendment thereof,—so as to read as follows:—*Section 3.* Said board of commissioners shall alone have power to construct, maintain and repair all sewers, drains and works necessary to complete the system of sewerage and sewage disposal adopted by the town. They may from time to time adopt a system or systems of sewerage and sewage disposal for any part or parts of the town not included in the system adopted by the town, or extend the system adopted by the town, or alter or amend the same or any other system that may be adopted by them, as public necessity and convenience may require. They shall have full power to take by purchase or otherwise any lands, rights of way, easements or other real estate necessary for the establishment and construction of the system of sewerage and sewage disposal adopted, or any extension, alteration or amendment thereof.

1890, 64, § 3,
amended.

Sewerage commissioners may construct and maintain sewers, etc.

May take necessary lands, rights of way, etc.

SECTION 2. Section ten of said chapter is hereby amended by inserting after the word "of", in the third line, the words:—an assessment following upon,—so as

1890, 64, § 10,
amended.

Persons aggrieved may apply for revision.

to read as follows : — *Section 10.* A person aggrieved by such determination of a sum to be paid by him under the preceding section may, within six months after written notice of an assessment following upon such determination, apply to the county commissioners for a revision thereof. If they reduce the amount, the town shall pay the costs of the application and hearing; otherwise the said costs shall be paid by the applicant.

1890, 64, § 11, amended.

SECTION 3. Section eleven of said chapter is hereby amended by inserting after the word “act”, in the second line, the words : — shall be assessed by said commissioners and committed by them to the tax collector for collection, and shall become due and payable within one year from the date of notice of the assessment, with interest after thirty days from the date of the assessment, until paid. Such assessment, — by striking out the words “board of commissioners”, in the fifth and sixth lines, and inserting in place thereof the word : — collector, — and by adding at the end of said section the words : — If the owner of real estate within thirty days after written notice of a sewer assessment thereon gives written notice to the board making the assessment to apportion the same, said board shall thereupon apportion the same into such number of equal parts, not exceeding ten, as the owner designates in the notice, and shall certify such apportionment to the assessors. The assessors shall add one of the said parts, with interest from the date of said apportionment, to the annual tax upon said real estate for each year next ensuing, until all of said parts have so been added. All liens for the collection of such assessments shall continue until the expiration of two years from the time when the last instalment is committed to the collector, and interest shall be added to all such assessments until paid : *provided*, that nothing herein contained shall be so construed as to prevent the payment at any time of any balance of said assessment then remaining unpaid, notwithstanding a prior apportionment. The collector of taxes is hereby authorized to use all means for the collection of sewer assessments which the town treasurer may use when appointed collector of taxes, — so as to read as follows : —

Collection of assessments.

Section 11. The sum so determined to be paid under section nine of this act shall be assessed by said commissioners and committed by them to the tax collector for collection, and shall become due and payable within one year from the date of notice of the assessment, with interest

after thirty days from the date of the assessment, until paid. Such assessment shall constitute a lien upon the real estate connected with any sewer or drain for two years after the notice provided for in section ten, and may with all incidental costs and expenses be collected by said collector in the same manner as taxes upon real estate, or in an action of contract in the name of the town. If the owner of real estate within thirty days after written notice of a sewer assessment thereon gives written notice to the board making the assessment to apportion the same, said board shall thereupon apportion the same into such number of equal parts, not exceeding ten, as the owner designates in the notice, and shall certify such apportionment to the assessors. The assessors shall add one of said parts, with interest from the date of said apportionment, to the annual tax upon said real estate for each year next ensuing, until all of said parts have so been added. All liens for the collection of such assessments shall continue until the expiration of two years from the time when the last instalment is committed to the collector, and interest shall be added to all such assessments until paid: *provided*, that nothing herein contained shall be so construed as to prevent the payment at any time of any balance of said assessment then remaining unpaid, notwithstanding a prior apportionment. The collector of taxes is hereby authorized to use all means for the collection of sewer assessments which the town treasurer may use when appointed collector of taxes.

To constitute a lien upon real estate, etc.

Apportionment of assessments, etc.

Proviso.

SECTION 4. This act shall take effect upon its passage.

Approved April 10, 1900.

AN ACT TO AUTHORIZE AND REGULATE THE APPOINTMENT OF ADDITIONAL CONSTABLES IN TOWNS.

Chap. 213

Be it enacted, etc., as follows:

SECTION 1. Whenever in the opinion of the board of selectmen of any town there is occasion for more constables than have been elected by such town the board of selectmen may appoint such additional constables as may be necessary, who shall be subject to all the duties and obligations and vested with all the powers of constables elected by the town, including the power to serve civil process, in accordance with the provisions of chapter twenty-seven of the Public Statutes or any amendment thereof.

Additional constables may be appointed in towns.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1900.

Chap.214 AN ACT RELATIVE TO THE PURCHASE AND SALE OF REAL ESTATE
BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows :

P. S. 117, § 19,
etc., amended.

SECTION 1. Section nineteen of chapter one hundred and seventeen of the Public Statutes, as amended by section two of chapter two hundred and forty-seven of the acts of the year eighteen hundred and ninety-eight, is hereby further amended by striking out the whole of said section and inserting in place thereof the following :—

Purchase and
sale of real
estate by co-
operative banks.

Section 19. Any such corporation may purchase at any sale, public or private, any real estate upon which it may have a mortgage, judgment, lien or other incumbrance, or in which it may have an interest; and may sell, convey or lease any real estate acquired by it, and on the sale thereof may take a mortgage in common form thereon to secure the payment of the whole or part of the purchase money. All real estate shall be sold within five years from the acquisition of the title thereto: *provided, however,* that the board of commissioners of savings banks may, upon the petition of the security committee of any such corporation and for good cause shown, grant an additional time for the sale of the same.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1900.

Chap.215 AN ACT TO PROVIDE FOR THE INSPECTION OF CITY AND TOWN
ALMSHOUSES BY THE STATE BOARD OF CHARITY.

Be it enacted, etc., as follows :

State board of
charity to
inspect city
and town
almshouses.

The state board of charity shall visit and inspect all almshouses maintained by the several cities and towns of the Commonwealth, and shall report annually upon their condition and management, with such suggestions and recommendations as the board may deem expedient.

Approved April 11, 1900.

Chap.216 AN ACT RELATIVE TO THE APPOINTMENT OF ASSESSORS AND
ASSISTANT ASSESSORS IN THE CITY OF QUINCY.

Be it enacted, etc., as follows :

Assessors
of Quincy,
appointment,
etc.

SECTION 1. In the month of January in the year nineteen hundred and one the mayor of Quincy shall appoint a board of assessors, consisting of three persons, who

shall hold office until the expiration of one, two and three years, respectively, from the first Monday in February, 1901, and annually in January thereafter the mayor shall appoint one assessor who shall hold office for the term of three years from the first Monday in February following.

SECTION 2. The mayor may annually appoint one of said assessors chairman of the board, and if a chairman is not so appointed by the mayor the provisions as to the election of chairmen of other boards of the city shall apply to the board of assessors. Chairman.

SECTION 3. The city council may by vote of two thirds of its members authorize the appointment by the mayor of assistant assessors; and, if so authorized, the mayor shall thereupon appoint them. Assistant assessors, appointment.

SECTION 4. Clause IX of section thirty-four of chapter three hundred and forty-seven of the acts of the year eighteen hundred and eighty-eight is hereby repealed. Repeal.

SECTION 5. This act shall take effect on the first Monday of January in the year nineteen hundred and one. When to take effect.

Approved April 11, 1900.

AN ACT TO ESTABLISH THE SALARIES OF THE FIRST AND SECOND CLERKS IN THE OFFICE OF THE AUDITOR OF ACCOUNTS. Chap.217

Be it enacted, etc., as follows:

SECTION 1. The salary of the first clerk in the office of the auditor of accounts shall be twenty-five hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. First clerk in office of auditor.

SECTION 2. The salary of the second clerk in the office of the auditor of accounts shall be twenty-two hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. Second clerk.

SECTION 3. This act shall take effect upon its passage.

Approved April 11, 1900.

AN ACT RELATIVE TO THE LENGTH OF THE SCHOOL YEAR IN CERTAIN TOWNS. Chap.218

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and ninety-six of the acts of the year eighteen hundred and ninety-eight is hereby amended by adding at the end of the first sentence the words: — except that in towns the 1896, 496, § 1, amended.

Instruction in
the public
schools.

assessed valuation of which is under two hundred thousand dollars the required period may, with the consent of the state board of education, be reduced to twenty-eight weeks,—so as to read as follows:—*Section 1.* Every town and city shall maintain for at least thirty-two weeks in the year a sufficient number of schools for the instruction of all the children who may legally attend a public school therein, except that in towns the assessed valuation of which is under two hundred thousand dollars the required period may, with the consent of the state board of education, be reduced to twenty-eight weeks. Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, the history of the United States, physiology and hygiene, including special instruction as to the effect of alcoholic drinks and of stimulants and narcotics on the human system, and good behavior. Bookkeeping, algebra, geometry, one or more foreign languages, the elements of the natural sciences, kindergarten training, manual training, agriculture, sewing, cooking, vocal music, physical training, civil government, ethics and such other subjects as the school committee deem expedient, may be taught in the public schools.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1900.

Chap. 219

AN ACT RELATIVE TO SUMMER SCHOOLS FOR TEACHERS.

Be it enacted, etc., as follows:

Summer schools
for teachers.

The state board of education may hold such summer schools for teachers and for such periods of time as it may deem expedient. For defraying the expense of such schools there may annually be allowed and paid from the treasury of the Commonwealth a sum not exceeding fifteen hundred dollars.

Approved April 11, 1900.

Chap. 220

AN ACT TO AUTHORIZE CITIES TO INDEMNIFY POLICE OFFICERS AND MEMBERS OF FIRE DEPARTMENTS FOR DAMAGES SUSTAINED OR EXPENSES INCURRED IN CERTAIN CASES.

Be it enacted, etc., as follows:

1888, 270, § 1,
etc., amended.

SECTION 1. Section one of chapter three hundred and seventy-nine of the acts of the year eighteen hundred and eighty-eight, as amended by section one of chapter one

hundred and eighty-six of the acts of the year eighteen hundred and ninety-three, is hereby amended by inserting after the word "officers", in the fifth line, the words: — firemen or any member of the fire department, — by inserting after the word "officer", in the fifth line, the words: — fireman or any member of the fire department, — and by inserting after the word "officer", in the eighth line, the words: — fireman or member of the fire department, — so as to read as follows: — *Section 1.* Any city may, in its discretion, to an amount not exceeding the amount which may be recommended by the board or officer having the power to appoint police officers, firemen or any member of the fire department in such city, indemnify a police officer, fireman or any member of the fire department, or any person required to assist police officers in the discharge of their duties, for any expenses or damages hitherto or hereafter by him sustained while acting as a police officer, fireman or member of the fire department, or incurred in the defence or settlement of any suit brought against him for acts done while so acting.

Offices may indemnify police officers and persons assisting them, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1900.

AN ACT TO AUTHORIZE THE BOSTON MUTUAL LIFE INSURANCE COMPANY TO ESTABLISH A GUARANTY CAPITAL.

Chap. 221

Be it enacted, etc., as follows:

SECTION 1. The Boston Mutual Life Insurance Company, a corporation existing and doing business under the laws of this Commonwealth, is hereby authorized to establish a guaranty capital of one hundred thousand dollars, divided into shares of one hundred dollars each, which shall be invested in the same securities in which insurance companies are now required by law to invest their capital.

May establish a guaranty capital.

SECTION 2. At all elections of directors the number shall be as provided in the by-laws of the corporation, one half of whom shall be elected by the subscribers to the guaranty capital stock, and the other half by the assured, voting in separate bodies. The directors shall either be stockholders or assured, and when they cease to be such stockholders or assured they shall cease to hold office as directors.

Directors, election, etc.

SECTION 3. The stockholders of the guaranty capital shall be entitled to such annual dividends, not exceeding seven per cent, payable from the net surplus, as may have

Dividends, etc.

been agreed upon in the subscription therefor. The guaranty capital shall be redeemed by an appropriation of surplus whenever said surplus shall be in excess of three times the amount of said capital, or at any time prior thereto should the assured by vote so direct.

SECTION 4. This act shall take effect upon its passage.

Approved April 11, 1900.

Chap.222 AN ACT TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE OR CAUSEWAY OVER THE ACUSHNET RIVER BETWEEN THE CITY OF NEW BEDFORD AND THE TOWN OF ACUSHNET.

Be it enacted, etc., as follows:

A bridge or causeway may be constructed over the Acushnet river, etc.

SECTION 1. Joseph B. Slocum and Jean B. Jean are hereby authorized to construct and maintain a bridge or causeway, without a draw therein, over tide water, crossing the Acushnet river at a point about fifteen hundred feet southerly of the stone bridge at the Head-of-the-River, so-called, in the town of Acushnet, connecting the land of the said Jean B. Jean in the city of New Bedford with the land of the said Joseph B. Slocum in the town of Acushnet, subject to the provisions of chapter nineteen of the Public Statutes and acts in amendment thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1900.

Chap.223 AN ACT TO REQUIRE RAILROAD COMPANIES TO EQUIP THEIR CARS WITH PLATFORM GATES.

Be it enacted, etc., as follows:

Railroad cars to be provided with platform gates.

SECTION 1. On and after the first day of January in the year nineteen hundred and one every drawing-room or sleeping car, passenger, baggage, mail and express car, owned or regularly used on any railroad in this Commonwealth, shall be provided at each end thereof with platform gates of a pattern approved by the board of railroad commissioners.

Penalty.

SECTION 2. Any railroad corporation running, hauling or permitting to be hauled or used on its road any car in violation of the provisions of this act shall be liable to a penalty of one hundred dollars for each offence, to be recovered in an action of tort, to the use of the Commonwealth, by the attorney-general or the district attorney for the district in which such violation occurred.

When to take effect.

SECTION 3. This act shall take effect on the first day of January in the year nineteen hundred and one.

Approved April 12, 1900.

AN ACT RELATIVE TO FILLING VACANCIES IN THE CITY COUNCIL OF *Chap. 224*
THE CITY OF WOBURN.

Be it enacted, etc., as follows :

SECTION 1. Any vacancy hereafter occurring in the city council of the city of Woburn shall be filled for the unexpired term by election by the city council. Only legal voters of the same political party, and in case the vacancy is that of ward alderman of the same ward as the late occupant of the vacant office, shall be eligible to fill the vacancy. Every such election by the city council shall be by ballot, after notice of at least one week printed in at least one of the newspapers published in the city, and a vote of a majority of the members of the city council shall be necessary for a choice. City council of Woburn, vacancies.

SECTION 2. So much of section five of chapter one hundred and seventy-two of the acts of the year eighteen hundred and ninety-seven as conflicts with this act is hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved April 12, 1900.

AN ACT RELATIVE TO PRINTING CERTAIN PUBLIC DOCUMENTS. *Chap. 225*

Be it enacted, etc., as follows :

SECTION 1. There shall be printed annually six thousand copies of the report on the statistics of labor and five thousand copies of the report on the statistics of manufactures. The reports on the statistics of manufactures may be electrotyped and may be issued in parts in the manner now provided by law for reports on the statistics of labor, and each of said parts shall contain related or comparable information upon the industries of the Commonwealth. Of the editions above authorized one thousand copies of the parts of each of said reports shall be bound in pamphlet form and distributed under the direction of the chief of the bureau of statistics of labor ; and of such pamphlets five hundred copies of that part of each of said reports which relates to the labor and industrial chronology, so-called, may be bound together. The remainder of the edition of each of said reports shall be disposed of as now provided by law. Printing and distributing of certain public documents.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved April 12, 1900.

Chap.226 AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF BERKSHIRE TO BUILD AND MAINTAIN A WAY THROUGH THE TOWNS OF NEW ASHFORD, ADAMS AND WILLIAMSTOWN, AND THE CITY OF NORTH ADAMS, CROSSING THE GREYLOCK RESERVATION.

Be it enacted, etc., as follows :

County commissioners of Berkshire county may construct, etc., a certain public way, etc.

SECTION 1. The county commissioners of the county of Berkshire are hereby authorized to lay out, construct and maintain at the expense of the county a public way from a point near the residence of George A. Bauer, in the town of New Ashford, through the towns of New Ashford, Adams and Williamstown, and the city of North Adams, and across the Greylock state reservation, to a terminus near the Notch reservoir, so-called, in the city of North Adams. Said road shall be located and may be altered in the manner now provided by law for the location and alteration of county ways.

Public way may be closed at certain times.

SECTION 2. The county commissioners may close said way during such seasons of the year as they deem it wise to do so, or when it is necessary to close it for repairs.

Certain bounds not required.

SECTION 3. The county commissioners shall not be required to erect bounds of said highway upon the Greylock state reservation, nor upon more than one side of the way where it passes over private lands.

SECTION 4. This act shall take effect upon its passage.

Approved April 12, 1900.

Chap.227 AN ACT TO AUTHORIZE THE TOWN OF METHUEN TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows :

Methuen Water Loan, 1900.

SECTION 1. The town of Methuen, for the purpose of extending and completing its system of water works, may issue notes or bonds from time to time to an amount not exceeding twenty-five thousand dollars in addition to the indebtedness already authorized for water purposes. Said notes or bonds shall bear on their face the words, Methuen Water Loan, 1900, shall be payable at the expiration of periods not exceeding thirty years from the dates of issue, and shall be issued upon the conditions and in the manner set forth in chapter three hundred and ten of the acts of the year eighteen hundred and ninety-two.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE COMMISSIONERS ON THE TOPOGRAPHICAL SURVEY AND MAP OF MASSACHUSETTS. *Chap.228*

Be it enacted, etc., as follows :

SECTION 1. The following sums are hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to wit : — *Appropriations.*

For expenses in connection with the determination of town boundary lines and the regular work of the commission on topographical survey and map of Massachusetts during the year ending on the thirty-first day of December in the year nineteen hundred, a sum not exceeding twenty thousand dollars. *Commission on topographical survey.*

For expenses of an examination and inspection of all the monuments or other marks defining the location of the boundary lines of the Commonwealth, as provided for by chapter two hundred and ninety-nine of the acts of the year eighteen hundred and ninety-eight, a sum not exceeding fifteen hundred dollars. *Inspection of monuments, etc.*

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE POLICE COURT OF WILLIAMSTOWN. *Chap.229*

Be it enacted, etc., as follows :

SECTION 1. The salary of the justice of the police court of Williamstown shall be eight hundred and fifty dollars a year, to be so allowed from the first day of January in the year nineteen hundred. *Justice of police court of Williamstown.*

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1900.

AN ACT RELATIVE TO THE TAKING OF LOBSTERS.

Chap.230

Be it enacted, etc., as follows :

Section one of chapter one hundred and eighty-three of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the words "being at the time", in the first line, and inserting in place thereof the words : — having been, — and by inserting after the word "Commonwealth", in the second line, the words : — for *1893, 183, § 1, amended.*

Penalty on non-residents for taking lobsters, etc.

one year, — so as to read as follows : — *Section 1.* Whoever, not having been an inhabitant of this Commonwealth for one year, sets or keeps or causes to be set or kept in any of the waters of this Commonwealth any pot, net or trap for the catching of lobsters, shall forfeit twenty dollars for each offence, one half to the use of the complainant and one half to the use of the Commonwealth.

Approved April 13, 1900.

Chap. 231 AN ACT RELATIVE TO POLITICAL DESIGNATIONS OF CANDIDATES FOR STATE, CITY AND TOWN OFFICES.

Be it enacted, etc., as follows :

1898, 548, § 147, amended.

SECTION 1. Section one hundred and forty-seven of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight is hereby amended by inserting after the word "office", in the second line of the last paragraph, the words : — otherwise than by nomination papers, — so that the said paragraph shall read as follows : — When more candidates bearing the same political or other designation are nominated for an office, otherwise than by nomination papers, than are to be elected thereto, such boards shall determine the candidates, if any, entitled to such designation.

Determination when several candidates have same designation.

1898, 548, § 193, amended.

SECTION 2. Section one hundred and ninety-three of said chapter is hereby amended by inserting after the word "designation", in the ninth line of the third paragraph of said section, the words : — nominated otherwise than by nomination papers, — so that the said paragraph shall read as follows : — To the name of each candidate for a state or city office shall be added his party or political designation, expressed in accordance with section one hundred and forty-three of this act. To the name of each candidate for a town office upon an official ballot shall be added the designation of the party or principle which he represents, contained in the certificate of nomination or nomination papers. No greater number of candidates for any office, bearing the same political designation, nominated otherwise than by nomination papers, shall be placed upon the official ballot than are to be elected.

Candidates with same designation.

Approved April 13, 1900.

AN ACT RELATIVE TO THE ISSUANCE OF LETTERS OF GUARDIANSHIP *Chap.232*
TO NON-RESIDENT GUARDIANS OF NON-RESIDENT WARDS.

Be it enacted, etc., as follows :

Section twenty of chapter one hundred and thirty-nine of the Public Statutes is hereby amended by inserting in the second line, after the word “to”, the words:—real or personal,—by striking out in the tenth, eleventh, twelfth and thirteenth lines, the words “and also shows to such probate court that a removal of such ward’s property will not conflict with the terms or limitations attending the right by which the ward owns the same”,—by inserting at the end of the fifteenth line, the words:—in this Commonwealth,—by inserting in the sixteenth line, after the word “him”, the words:—to care for and manage the real estate of such ward, to collect the rents, issues and profits therefrom and,—by striking out in the seventeenth line, the words “the same out of the Commonwealth”, and inserting in place thereof the words:—any of the movable property or estate of such ward out of this Commonwealth, provided such removal will not conflict with the terms or limitations attending the right by which the ward holds the same,—and by inserting in the nineteenth line, before the word “estate”, the words:—property or,—so as to read as follows:—*Section 20.* When a person who is a resident of another state or territory of the United States is entitled to real or personal property of any description in this Commonwealth, and is under the guardianship of a person who is also a resident of such other state or territory, if such guardian produces to the probate court of the county in which such property or the principal part thereof is situated a full and complete and duly exemplified or authenticated transcript from the records of a court of competent jurisdiction in such other state or territory, showing that he has there been appointed such guardian, and has given a bond and security in double the value of the property of such ward, then such transcript may be recorded in such probate court, and such guardian shall be entitled to receive from such court letters of guardianship of the estate of such ward in this Commonwealth which shall authorize him to care for and manage the real estate of such ward, to collect the rents, issues and profits therefrom and to demand,

P. S. 139, § 20,
amended.

Issuance of
letters of
guardianship
to non-resident
guardians of
non-resident
wards.

sue for, and recover any such property, and to remove any of the movable property or estate of such ward out of this Commonwealth, provided such removal will not conflict with the terms or limitations attending the right by which the ward holds the same. Such probate court may also order any resident guardian, executor, or administrator, having any of the property or estate of such ward, to deliver the same to any person who has taken out letters of guardianship as aforesaid.

Approved April 13, 1900.

Chap.233 AN ACT TO AUTHORIZE THE BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS TO PURCHASE BOOKS FOR THE FREE PUBLIC LIBRARIES OF CERTAIN TOWNS.

Be it enacted, etc., as follows:

Purchase of books for free public libraries.

Proviso,

The board of free public library commissioners may expend, in such amounts and at such times as they deem expedient, a sum not exceeding one hundred dollars, for the purchase of books for every free public library owned and controlled by a town the valuation of which does not exceed six hundred thousand dollars: *provided*, that the town shall have complied with all laws relative to the maintenance of such library, and that the trustees of the library shall provide, to the satisfaction of the board, for the distribution of books in different parts of the town where such distribution is necessary, by means of branch libraries or deliveries, and for practical and effective means of rendering the library useful to the teachers and scholars of the public schools in such town.

Approved April 13, 1900.

Chap.234 AN ACT RELATIVE TO FISHING IN PODONK POND.

Be it enacted, etc., as follows:

Taking of fish in Podonk pond restricted.

Amount of fish which may be taken in open season.

SECTION 1. All taking of fish in the pond known as Podonk pond and as lake Quacumquasit, lying wholly or partly in the towns of Brookfield and Sturbridge, shall be unlawful from and including the first day of October, to and including the twentieth day of June, for a period of five years beginning with the year nineteen hundred; and the commissioners on inland fisheries and game are hereby authorized and directed to forbid and prevent such taking.

SECTION 2. During the open season provided for in section one, namely, between the twentieth day of June

and the first day of October in each year during the said period of five years, it shall be unlawful for any person to take from said pond in any one day more than twelve pounds of white perch or five pounds of trout, salmon trout and landlocked salmon; and the said commissioners are hereby authorized and directed to forbid and prevent such taking.

SECTION 3. Whoever violates any provision of this act shall be punished by a fine of twenty dollars for each offence. Penalty.

Approved April 13, 1900.

AN ACT RELATIVE TO THE SCHOOL COMMITTEE OF THE CITY OF BOSTON. Chap.235

Be it enacted, etc., as follows:

SECTION 1. The members of the school committee of the city of Boston for the time being shall continue to constitute a corporation by the name of The School Committee of the City of Boston; shall as such corporation have all the powers and be subject to all the duties applicable to such corporations; shall continue to hold the funds now held by it for the benefit of persons or the families of persons who are or have been teachers in the public schools of the city of Boston, and all other real or personal property hereafter given for said purposes, and shall take and hold all property hereafter given to it for lectures and other educational purposes, including the property left by Robert C. Waterston, late of Boston, to be known as the Teachers' Waterston Fund; and, conforming to the directions of the givers thereof, shall manage and dispose of all said property or the income thereof according to its best discretion, for the purposes aforesaid; but shall dispose of the income of the fund known as the Charlestown School Trust Fund for the benefit of persons or the families of persons who are or have been teachers within the limits of what was formerly the city of Charlestown.

The members of the school committee of Boston to continue a corporation for certain purposes.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1900.

AN ACT TO ABATE THE SMOKE NUISANCE IN THE CITY OF SPRINGFIELD. Chap.236

Be it enacted, etc., as follows:

SECTION 1. In the city of Springfield the emission into the open air of dark smoke or dense gray smoke for more

Certain emissions of smoke declared a nuisance.

than two minutes continuously, or the emission of such smoke during twelve per cent of any continuous period of twelve hours, is hereby declared a nuisance.

Penalty.

SECTION 2. Whoever commits such nuisance or suffers the same to be committed on any premises owned or occupied by him, or in any way participates in committing the same, shall be punished by a fine of not more than one hundred dollars for each week during any part of which such nuisance exists.

Enforcement of law.

SECTION 3. The mayor of the city shall designate some proper person among the officers of the city, who shall be charged with the enforcement of this law. Such designation shall be made in January of each year, but shall be subject to change at any time.

Operation of certain furnaces, etc., may be restrained.

SECTION 4. The officer so designated may apply to the supreme judicial or superior court or to any justice thereof for an injunction to restrain the further operation of any furnace, steam boiler or boilers which are being operated in such a manner as to create a nuisance as herein defined; and said court or justice may after hearing the parties enjoin the further operation of any such furnace, boiler or boilers.

When to take effect.

SECTION 5. This act shall take effect on the first day of September in the year nineteen hundred.

Approved April 13, 1900.

Chap. 237 AN ACT TO PROVIDE FOR A PUBLIC SCHOOL TEACHERS' RETIREMENT FUND IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Teachers' Retirement Fund to be created in Boston.

SECTION 1. Upon the passage of this act, a Teachers' Retirement Fund shall be created in the city of Boston, which shall consist of: —

(a) A permanent fund, made up of gifts and legacies specifically given to said permanent fund, and a sum set apart by the board of trustees.

(b) A general fund, made up of gifts and legacies not specifically given to said permanent fund, amounts retained from the salaries of teachers under the provisions of this act, and the interest derived from said permanent fund. The general fund may be drawn upon for the purposes of this act by said board of trustees, in its discretion.

Trustees, election, terms, etc.

SECTION 2. The superintendent of public schools in the city of Boston, three female teachers and three male

teachers, also of said city and holding positions in the public schools as instructors, and four members of the school committee of said city, shall constitute the board of trustees. The superintendent of public schools shall hold office in said board ex officio, and the other ten members shall be chosen as follows: — At the first annual meeting of the school teachers in the city of Boston who are included in this act, which shall be held on the last Saturday of October in the year nineteen hundred, there shall be elected by ballot one female teacher who shall hold office for a term of one year, one female teacher who shall hold office for a term of two years, one female teacher who shall hold office for a term of three years, one male teacher who shall hold office for a term of one year, one male teacher who shall hold office for a term of two years and one male teacher who shall hold office for a term of three years; and a majority of all the votes cast shall be necessary in each case for an election. Said meeting shall be called by the superintendent of public schools after due notice to all the school teachers in the city of Boston included in this act, at such hour and place as he shall designate. Annually thereafter, at a meeting duly called by said board of trustees on the last Saturday in October, one female teacher and one male teacher shall be elected in the same manner for a term of three years. At the first regular meeting of the school committee of the city of Boston in October in the year nineteen hundred it shall elect two of its number to be members of said board of trustees for a period of one year, and two of its number to be members of said board for a period of two years; and annually thereafter at its first meeting in October the school committee shall elect two of its number to be members of said board for a period of two years. Said board shall organize by adopting rules of its own, not inconsistent with this act, and in case of a vacancy in its membership shall have power to fill such vacancy for the unexpired term.

Trustees,
election,
terms, etc.

Organization,
vacancy.

SECTION 3. Said board shall have control of the retirement fund, investing the same only in such securities as savings banks are authorized by law to invest in. The board shall receive and consider all applications for annuities under this act, and shall determine and direct payment of the same. The board shall keep full and complete records of the receipts and disbursements on account of

Powers and
duties.

Expenses, etc. this fund, and a complete list of all annuitants, and shall make a report of the same at each annual meeting of the teachers in October. All necessary expenses incurred by the board in carrying out the provisions of this act shall be paid out of the retirement fund, in accordance with votes of the board. The members of the board shall serve without compensation. Whenever any member of the board shall cease to hold a position as member of the school committee of said city, or as teacher in the public schools, respectively, his or her membership in the board shall thereupon cease.

City treasurer to be custodian of retirement fund, etc.

SECTION 4. The city treasurer, under the direction of the board of trustees, shall be the custodian of the retirement fund, and shall make payments therefrom as ordered by the board. He shall receive such compensation for his services and clerk hire, not exceeding fifteen hundred dollars a year, as the board of trustees shall determine, and the sum so determined shall be appropriated for that purpose by the school committee of the city of Boston.

Certain sum to be reserved from salary of each teacher.

SECTION 5. Beginning with the monthly payments in November in the year nineteen hundred the city treasurer of the city of Boston shall reserve from the salary of each teacher who has come under the provisions of this act the sum of three dollars, and in every alternate monthly payment thereafter shall reserve the same sum, and shall pay the sums so reserved into the school teachers' retirement fund, as herein provided.

Annuities to certain teachers.

SECTION 6. The city treasurer, upon vote of the board of trustees, shall pay out of said retirement fund, in monthly payments, such an annuity to any teacher who shall retire or be discharged from the service of the city, as the fund will allow and said board of trustees shall determine; but in no case shall a teacher receive such annuity unless such teacher has taught for thirty years, and for at least ten years in the public day schools of the city of Boston, except as hereinafter provided.

Annuities to teachers incapacitated for teaching, etc.

SECTION 7. The city treasurer, upon a vote of the board of trustees, shall pay out of the retirement fund, in monthly payments, such an annuity to any teacher who has taught not less than two years in the city of Boston, although less than thirty years in the aggregate, as the fund will allow and said board of trustees shall determine, if such teacher has become incapacitated for teaching and has been discharged from the service of the city

of Boston : *provided*, that a certificate of such incapacity be furnished by the attending physician and by a physician employed by the board of trustees ; and *further provided*, that the annuity shall cease when the incapacity ceases. Provisos.

SECTION 8. All annuities shall be uniform in amount, whether the annuitants are retired under the provisions of section six or of section seven, except as provided in section nine of this act. Certain annuities to be uniform in amount.

SECTION 9. No annuity shall be paid to any teacher until such teacher shall contribute, or has contributed to the general fund, a sum equal to all the assessments for thirty years, to wit : — Five hundred and forty dollars ; but should any teacher seeking to retire under section six or section seven be unable to pay the full amount of assessments as above specified, before receiving an annuity, the board of trustees may in its discretion make to such retiring teacher such monthly payments as in the opinion of said board the needs of such teacher may require. No annuity to be paid until a certain sum has been contributed, etc.

SECTION 10. Any teacher who shall have been a contributing member for two years or more, who shall retire from the service of the city of Boston not being in receipt of an annuity, shall, upon application within three months after date of such retirement, receive one half of the total amount paid by such teacher into said fund. Certain teachers may receive portion of amount paid.

SECTION 11. This act shall be binding upon all teachers entering the service of the city of Boston after it goes into effect, and upon such of the teachers in the service of said city at the time of its enactment as may thereafter elect to come under its provisions ; and notice in writing to the superintendent of schools, signed by the teacher so electing, shall be conclusive as to such election. To be binding upon certain teachers.

SECTION 12. The term " teacher ", in this act, shall include all supervisors, superintendents of instruction, principals and regular instructors in the public day schools. The term " teacher " defined.

SECTION 13. This act shall take effect upon its passage.

Approved April 17, 1900.

AN ACT TO AUTHORIZE THE PROPRIETORS OF THE LOCKS AND CANALS ON MERRIMACK RIVER TO DISCONTINUE THE UPPER FREE LANDING IN THE CITY OF LOWELL.

Chap. 238

Be it enacted, etc., as follows :

SECTION 1. The Proprietors of the Locks and Canals on Merrimack River shall not be required to maintain Not required to maintain certain free landing places.

hereafter the so-called upper free landing place above the "Swamp locks", in the city of Lowell, nor to maintain any free landing place above said "Swamp locks", on the Patucket canal instead thereof.

Repeal.

SECTION 2. So much of section two of chapter one hundred and thirty-two of the acts of the year eighteen hundred and thirty-five, being "An Act to regulate the toll on Patucket canal", as amended by chapter ninety-seven of the acts of the year eighteen hundred and fifty-three, chapter fifty-six of the acts of the year eighteen hundred and eighty-two, and chapter one hundred and six of the acts of the year eighteen hundred and eighty-nine, as is inconsistent with the provisions of this act, is hereby repealed.

When to take effect.

SECTION 3. This act shall take effect if assented to by the mayor and city council of the city of Lowell within three years from the passage of this act, by concurrent votes of said council approved by the mayor, provided the city council, with the approval of the mayor, and the Proprietors of the Locks and Canals shall agree upon such terms as shall provide a free landing place above the "Swamp locks", otherwise this act shall be null and void.

Approved April 17, 1900.

Chap. 239 AN ACT TO PROVIDE FOR AN APPEAL FROM ORDERS OF INSPECTORS OF FACTORIES AND PUBLIC BUILDINGS.

Be it enacted, etc., as follows:

1894, 506, § 42,
amended.

Section forty-two of chapter five hundred and eight of the acts of the year eighteen hundred and ninety-four is hereby amended by adding at the end thereof the words: — Any person or corporation aggrieved by the order of an inspector issued as above provided, and relating to a public building or a schoolhouse in a city or town may, within thirty days from the day of the service thereof, or, in the case of such an order already issued, within thirty days from the date when this act takes effect, apply in writing to the state board of health to set aside or amend the same; and thereupon, after such notice as said board shall order to all parties interested, a hearing shall be given by said board upon such order of the inspector, and said board may either alter, annul or confirm the same. The order, if altered or confirmed, shall have the same force and effect as the original order, — so as to read as

follows: — *Section 42.* Whenever it appears to an inspector of factories and public buildings that further or different sanitary provisions or means of ventilation are required in any public building or schoolhouse, in order to conform to the requirements of this act, and that the same can be provided without incurring unreasonable expense, such inspector may issue a written order to the proper person or authority, directing such sanitary provisions or means of ventilation to be provided, and they shall thereupon be provided, in accordance with such order, by the public authority, corporation or person having charge of, owning or leasing such public building or schoolhouse. Any person or corporation aggrieved by the order of an inspector issued as above provided, and relating to a public building or a schoolhouse in a city or town may, within thirty days from the day of the service thereof, or, in the case of such an order already issued, within thirty days from the date when this act takes effect, apply in writing to the state board of health to set aside or amend the same; and thereupon, after such notice as said board shall order to all parties interested, a hearing shall be given by said board upon such order of the inspector, and said board may either alter, annul or confirm the same. The order, if altered or confirmed, shall have the same force and effect as the original order.

Inspector may order sanitary provisions or means of ventilation to be provided in certain cases.

Persons, etc., aggrieved may apply to the state board of health, etc.

Approved April 17, 1900.

AN ACT TO RATIFY THE PROCEEDINGS OF ST. PETER'S CHURCH IN CAMBRIDGE.

Chap. 240

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the Protestant Episcopal religious society in Cambridge organized on the twenty-seventh day of October in the year eighteen hundred and forty-two under the name of St. Peter's Church shall not be invalidated by any irregularity or informality in such acts and proceedings between said date and the date of the passage of this act; and the organization of said society and all its acts and proceedings, including the action of said society in changing its name to the Parish of St. Peter's Church, are hereby ratified and declared valid.

Proceedings of the Protestant Episcopal religious society in Cambridge ratified.

SECTION 2. Chapter sixty-six of the acts of the year eighteen hundred and ninety-six is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage:

Approved April 18, 1900.

Chap. 241 AN ACT TO REQUIRE THE COMMISSIONERS OF PRISONS OF MASSACHUSETTS AND CERTAIN OTHER OFFICIALS TO TRANSMIT TO THE ELECTION COMMISSIONERS OF THE CITY OF BOSTON THE NAMES OF RESIDENTS OF SAID CITY CONFINED IN CERTAIN PENAL AND CHARITABLE INSTITUTIONS.

Be it enacted, etc., as follows:

1898, 548, § 24,
amended.

SECTION 1. Section twenty-four of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight is hereby amended by adding at the end thereof the words:—The commissioners of prisons of Massachusetts, the penal institutions commissioner of Boston, the pauper institutions trustees of Boston and the insane hospital trustees of Boston shall, ten days before every state and city election in Boston, transmit to the board of election commissioners of Boston the names of all persons then confined in the institutions under their charge, respectively, whose terms of confinement expire after the date of such election and who had a last known residence in Boston, giving such residence by street and number where it is possible to do so. The election commissioners shall thereupon make a memorandum in red ink opposite the names of such of said persons as appear upon the voting lists, stating the institutions in which such persons are then confined, and copies of the voting lists containing such memoranda shall forthwith be sent by them to the election officers, — so as to read as follows:—

Names, etc., of
certain persons
deceased to be
sent to regis-
trars.

Section 24. The city or town clerk or registrar of deaths in each city or town shall, on the first day of every month, and also two days before every election, transmit to the registrars of voters a list of the names of all residents of such city or town of twenty-one years of age or upwards, who died in the preceding month, or since the date of the list previously transmitted, with a statement of the ward, street and number therein, if any, where such person resided at his death. The commissioners of prisons of Massachusetts, the penal institutions commissioner of Boston, the pauper institutions trustees of Boston and the insane hospital trustees of Boston shall, ten days before every state and city election in Boston, transmit to the board of election commissioners of Boston the names of all persons then confined in the institutions under their charge, respectively, whose terms of confinement expire

Names, etc., of
persons con-
fined in certain
institutions to
be sent to board
of election com-
missioners of
Boston, etc.

after the date of such election and who had a last known residence in Boston, giving such residence by street and number where it is possible to do so. The election commissioners shall thereupon make a memorandum in red ink opposite the names of such of said persons as appear upon the voting lists, stating the institutions in which such persons are then confined, and copies of the voting lists containing such memoranda shall forthwith be sent by them to the election officers.

SECTION 2. This act shall take effect upon its passage.

Approved April 18, 1900.

AN ACT RELATIVE TO THE LAYING OF DRAINS AND SEWERS IN OR ACROSS LANDS CONTROLLED BY THE METROPOLITAN PARK COMMISSION.

Chap. 242

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission is hereby authorized to grant to cities and towns locations for common sewers and drains in and across ways and boulevards constructed by the commission on lands taken or acquired for the Commonwealth by the commission, and in and through lands taken or acquired by the commission for the Commonwealth or transferred to the commission for care and control. Whenever a drain or sewer is laid in locations so granted by the commission to a city or town the board of city or town officers respectively authorized to levy and collect assessments for the laying of drains and sewers in such city or town shall have the same power to levy and collect assessments for drains and sewers laid in said ways, boulevards or lands as is given to them by law in the case of drains and sewers laid in the public ways of such city or town: *provided, however,* that no such assessment shall be levied upon any lands belonging to the Commonwealth.

Laying of drains, etc., in or across lands controlled by the metropolitan park commission.

Provido.

SECTION 2. This act shall take effect upon its passage.

Approved April 18, 1900.

AN ACT TO AUTHORIZE THE TOWN OF AMHERST TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Chap. 243

Be it enacted, etc., as follows:

SECTION 1. The town of Amherst may incur indebtedness to an amount not exceeding twenty thousand dollars, for the purpose of enlarging the high school build-

May incur indebtedness for school purposes.

ing now in use and making it conform to the requirements of law with respect to sanitary, heating and ventilating appliances.

Amherst School
Loan.

SECTION 2. For payment of the indebtedness incurred under this act said town may issue its negotiable bonds, notes or scrip, signed by the treasurer and countersigned by the selectmen. Such bonds, notes or scrip shall be denominated on their face, Amherst School Loan, shall bear interest at a rate not exceeding four per cent per annum, and shall be so issued that not less than one tenth part thereof shall mature yearly, so that all of said bonds, notes or scrip shall mature within ten years from the dates of their issue.

Indebtedness to
be authorized
at a town meet-
ing.

SECTION 3. The indebtedness hereby authorized shall be incurred only when authorized by a vote of two thirds of the voters present and voting at a town meeting duly called for that purpose.

Payment of
loan, etc.

SECTION 4. Said town shall raise by taxation each year an amount sufficient to pay the interest on such of said bonds, notes or scrip as may at the time be outstanding, and to pay the principal of any bonds, notes or scrip maturing and becoming payable during that year.

Not to be
reckoned in
determining
debt limit.

SECTION 5. The indebtedness incurred under this act shall not be reckoned in determining the statutory limit of indebtedness of the town.

SECTION 6. This act shall take effect upon its passage.

Approved April 18, 1900.

Chap. 244 AN ACT TO INCORPORATE THE PHILLIPSTON STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Phillipston
Street Railway
Company
incorporated.

SECTION 1. C. Waldo Bates, D. Webster Baker, Walter White, James H. Hutchings, Charles E. Ingalls, Frank E. Johnson, Percival Blodgett, Thomas H. Goodspeed and Wilson D. Smith, their associates and successors, are hereby made a corporation under the name of the Phillipston Street Railway Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to street railway companies.

May construct,
etc., its railway
in certain towns.

SECTION 2. Said company may locate, construct, maintain and operate its railway, with a single or double track, in such manner as may be convenient and necessary, in

part upon private land acquired by purchase or lease, and upon streets, highways or state roads in the towns of Athol, Phillipston and Templeton, subject to the approval and control of the selectmen of said towns, as provided by general laws, and subject also to the approval of the Massachusetts highway commission as to any part of said railway located upon a state highway. The location of said railway outside the public streets and highways shall not exceed fifty feet in width, with convenient turn-outs and switches. Location.

SECTION 3. Said company may maintain and operate its railway by any motive power other than steam; may erect and maintain poles and wires on private lands purchased or leased for the purposes of said railway, and, with the consent of the board of selectmen of the town concerned, may erect such poles and wires and make such excavations in the streets and highways as may be necessary to establish and maintain such motive power. It may acquire by purchase or lease all real estate and water power required for its power station, tracks, poles, wires, car houses and other purposes incident to the proper maintenance and operation of its railway. Motive power,
etc.

SECTION 4. The capital stock of said company shall not exceed one hundred thousand dollars: *provided*, that the company may increase its capital stock, subject to the provisions of the general laws relative thereto. Capital stock.
Proviso.

SECTION 5. Said company in order to meet expenses incurred under this act may issue bonds not exceeding the amount of its capital stock, payable within periods not exceeding thirty years from the dates thereof, secured by mortgage of its franchises and property, subject to the general laws relative thereto; and in any such mortgage the company may reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor. May issue
mortgage bonds,
etc.

SECTION 6. Said company is hereby authorized to use its tracks for the transportation of passengers and their baggage, to be a common carrier of small parcels of merchandise, and to carry mails upon and over any street or highway, or over any private land upon which it may be authorized to construct its tracks as aforesaid: *provided*, that said company shall in the carrying of baggage and May act as a
common carrier
of merchandise,
etc.

Proviso.

parcels of merchandise be subject to such by-laws and regulations as may from time to time be made by said towns; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and to all laws relating to common carriers.

Issue of stock or bonds to be approved by railroad commissioners.

SECTION 7. No stock or bonds shall be issued under this act until the terms of such issue have been submitted to the board of railroad commissioners and approved by them under the general laws relative to the issue of stock and bonds by railroads and street railways. And if they approve such issue a certificate setting forth such approval shall be executed by said board and filed by said company in the office of the secretary of the Commonwealth.

Portion of road to be in operation within two years.

SECTION 8. The authority herein granted shall cease unless some portion of the proposed road has been built and put in operation within two years from the passage of this act.

SECTION 9. This act shall take effect upon its passage.

Approved April 18, 1900.

Chap. 245

AN ACT RELATIVE TO NOMINATION PAPERS.

Be it enacted, etc., as follows:

1898, 548, § 109, amended.

SECTION 1. Section one hundred and nine of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight is hereby amended by adding at the end thereof the following paragraph: — If, under the provisions of this section, any delegate or set of delegates is described on a nomination paper as favorable to, or pledged to support, any person for an office to be filled, such person may, within two week days of the announcement thereof, file with the secretary of the city or town committee a written request to have said statement stricken from the nomination paper, and the secretary shall do the same forthwith, and said nomination paper shall thereupon be void and of no effect, — so as to read as follows: — *Section 109.* The nomination paper for an elective office shall give the name of the candidate, the street and number, if any, of his residence, and may, in not more than eight words, state his occupation, the public offices he has held, or any other information whereby his identity may be established, and his qualifications for the office to be filled, or his position on any public measure.

Certain information may be given concerning candidates for elective offices.

The nomination paper of a candidate for a caucus office or for a ward or town committee shall state the street and number, if any, of his residence.

Candidates for caucus offices, etc.

There may be added to the name of a person proposed as a delegate to a convention, a statement of not more than eight words that he is favorable to, or is pledged to support, or to oppose, any person for an office to be filled, or is favorable to, or opposed to, any public measure, or is uncommitted.

Delegates to conventions.

If, under the provisions of this section, any delegate or set of delegates is described on a nomination paper as favorable to, or pledged to support, any person for an office to be filled, such person may, within two week days of the announcement thereof, file with the secretary of the city or town committee a written request to have said statement stricken from the nomination paper, and the secretary shall do the same forthwith, and said nomination paper shall thereupon be void and of no effect.

Nomination paper to become void under certain conditions.

SECTION 2. This act shall take effect upon its passage.

Approved April 18, 1900.

AN ACT TO AUTHORIZE CITIES TO PENSION FIREMEN.

Chap. 246

Be it enacted, etc., as follows:

SECTION 1. Any city may, by vote of its city council and under such restrictions and subject to such provisions as may be prescribed by such vote or by ordinance, pension: — First, any member of the fire department of such city who has reached the age of sixty-five years and who has performed faithful service in that department for a period of not less than twenty years. Second, any member of the fire department who has performed faithful service in that department for a period of not less than twenty years: *provided*, that he is incapacitated for further useful service.

Firemen in cities may be pensioned.

SECTION 2. This act shall take effect in any city upon, and not before, its acceptance by a majority of the voters voting thereon at an annual or special city election.

Proviso.

SECTION 3. Whenever a petition signed by not less than two hundred registered voters of any city, requesting that this act be submitted to the voters of such city at the next city election, is filed with the city clerk of the city not less than thirty days before the election is to be held, this act shall be submitted to the voters of the city, at the said election.

Subject to acceptance by voters.

To be submitted to voters on petition.

Approved April 18, 1900.

Chap.247 AN ACT TO CEDE TO THE UNITED STATES GOVERNMENT JURISDICTION OVER A TRACT OF LAND NEAR THE ENTRANCE TO THE NAVY YARD IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Jurisdiction
over certain
land in Boston
ceded to the
United States.

SECTION 1. Jurisdiction is hereby granted and ceded to the United States over that tract of land situated in the city of Boston, Charlestown district, described and bounded as follows, to wit : — Commencing at the south-westerly corner of storehouse number four in the United States navy yard, and running thence in a northerly direction by an irregular curved line shown on a plan of the premises ceded by an act of the general court approved on the twenty-fifth day of May in the year eighteen hundred and sixty-eight, to its northern extremity ; thence in a southerly direction by a straight line joining the extremities of the before mentioned irregular curved line, to the place of beginning ; all as shown on a plan of the premises hereby ceded, filed in the office of the secretary of the Commonwealth, and dated February 3, 1900 : *provided, always*, that this Commonwealth shall and does retain concurrent jurisdiction with the United States in and over the tract of land aforesaid, so far as that all civil and criminal processes issuing under the authority of this Commonwealth may be executed on said land and in any buildings thereon, or to be erected thereon, in the same manner as if jurisdiction had not been granted as aforesaid ; and *provided, also*, that the exclusive jurisdiction shall revert to and revest in the Commonwealth of Massachusetts whenever the said land shall cease to be used for a navy yard.

Provisos.

SECTION 2. This act shall take effect upon its passage.

Approved April 18, 1900.

Chap.248 AN ACT RELATIVE TO THE EMPLOYMENT OF SUPERINTENDENTS OF SCHOOLS BY CITIES AND TOWNS.

Be it enacted, etc., as follows :

Employment of
superintendents
of schools by
cities and towns.

SECTION 1. The school committee of each town or city in the Commonwealth may, and after July first in the year nineteen hundred and two shall, employ at the expense of the town or city a superintendent of schools, who under the direction and control of the committee shall have the care and supervision of the public schools :

provided, that nothing herein contained shall be construed to dissolve existing unions for the employment of a superintendent, or to prevent towns from uniting for such employment under the provisions of sections forty-four and forty-five of chapter forty-four of the Public Statutes, or of sections six and seven of chapter four hundred and sixty-six of the acts of the year eighteen hundred and ninety-eight. Proviso.

SECTION 2. The school committees of towns the valuation of which is less than two million five hundred thousand dollars may, and after July first in the year nineteen hundred and two shall, form unions under the provisions of chapter four hundred and sixty-six of the acts of the year eighteen hundred and ninety-eight. Certain towns to form unions.

SECTION 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal.

Approved April 18, 1900.

AN ACT RELATIVE TO THE PLACES IN WHICH THE BUSINESS OF CO-OPERATIVE BANKS SHALL BE CONDUCTED. Chap.249

Be it enacted, etc., as follows :

SECTION 1. Every co-operative bank shall carry on its usual business at its office only, which shall be within the city or town named in its charter, and shall not maintain a sign or advertise to transact business in any other place : *provided, however*, that the secretary or other person duly authorized to receive moneys may receive dues, interest, premiums and fines upon such days and in such other places as its board of directors may authorize, subject however to the consent of the board of commissioners of savings banks. Nothing herein contained shall be so construed as to prevent any co-operative bank from holding its stated monthly meeting at any other place than its office, provided such place be within the city or town where the bank is located. Places in which business of co-operative banks shall be conducted.

SECTION 2. This act shall take effect upon its passage. Proviso.

Approved April 20, 1900.

AN ACT RELATIVE TO THE CONSTRUCTION OF SEWERS AND DRAINS IN THE TOWN OF REVERE. Chap.250

Be it enacted, etc., as follows :

SECTION 1. The board of sewer commissioners of the town of Revere, acting in behalf of the town, shall have May construct, etc., a system of sewerage, etc.

power to construct, maintain and operate any system of sewerage or sewage disposal, or any extension of or addition to any system heretofore or hereafter adopted by the town, and said board may also construct, maintain and operate such works as it may deem necessary in connection with any such system. Said board, for the purpose of providing surface or other drainage for any part of said town, guarding against the pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains or systems of drains as it shall deem best, may deepen, widen and clear of obstructions any brook, stream or water course, may divert the same, and may straighten or alter the channels thereof, and for any of the foregoing purposes shall have full power to take by purchase or otherwise any lands, flats, water rights and rights of way, in fee, or easements in the same in the said town, and may construct such sewers and drains under or over any water course, bridge, railroad, highway or other way, and may enter upon and dig up any land, street or way, public or private, for the purpose of laying such sewers, main drains or systems of drains beneath the surface thereof and of maintaining and repairing the same, and may do any and all things necessary or proper for the purposes of this act.

May take lands,
water rights,
etc.

Proceedings
when lands,
etc., are taken.

SECTION 2. When lands, flats, water rights, rights of way or easements are taken by virtue of the preceding section the proceedings shall be the same as are provided by law for the laying out of town ways; and said board of sewer commissioners, acting on behalf of the town, shall make a declaration of taking, together with plans of the same, comprising a description thereof, as certain as is required in a conveyance of land, and specifying that the same are taken by authority of this act, and shall cause said declaration and plans to be recorded in the registry of deeds for the county of Suffolk; and upon such recording the fee in the lands, or if any easement or other estate less than the fee therein be specified and described in the deed of purchase or in the description and statement of taking to be recorded as aforesaid, then such easement or estate shall vest in the town of Revere, which shall pay all damages therefor. Said board at the time of such taking shall notify the owners in writing, and may agree with any person or corporation injured, upon the damages sustained by such person or corporation for any taking of property or rights for the purposes

Damages.

aforesaid, and if the damages are not agreed upon a jury in the superior court for said county may be had, upon petition of the aggrieved party, to determine the same, in the manner provided by law for determining the damages to be paid for land taken for town ways; but no suit or petition shall be brought after the expiration of two years from the date of the recording as herein provided.

SECTION 3. In every case for the assessment of damages by a jury said board may at any time file in the office of the clerk of said court an offer in writing to pay the petitioner a specified sum as damages, a copy of which shall be served upon said petitioner; and if said petitioner does not accept the same within ten days after notice of such offer, and does not finally recover a sum greater than that offered, not including interest from the date of offer on the sum so recovered, the town shall recover costs from the date of said notice and have execution therefor, and the petitioner if he recovers damages shall recover costs only to said date.

A specified sum may be offered as damages, etc.

SECTION 4. The owners of estates benefited and abutting on streets or ways, public or private, in which sewers have been laid, or shall hereafter be laid under the provisions of this act, shall pay to the town of Revere toward defraying the cost of such sewers, systems of sewerage and sewage disposal, an assessment or charge as follows: — Sixty-three one hundredths of a cent per square foot of area to a depth of one hundred feet from any street or way in which a sewer is constructed and in operation: *provided*, that no estate which has already paid a sewer assessment shall be re-assessed, and that no estate abutting on any street or way in which a sewer has already been built with the written consent of the sewer commissioners, and the abutting owners have paid the full cost of the same, shall be assessed. The remainder of the cost of said system or systems shall be borne by the town. No particular or other sewer from any estate or part of an estate not already assessed or not liable to assessment or charge as provided above shall be entered into a common sewer, except upon the payment of such an assessment and charge, and upon such other terms and conditions, as the board of sewer commissioners may determine. Said board of sewer commissioners in laying out and constructing main drains or systems of drains as provided for in this act may assess upon the estates benefited a proportionate part of the cost thereof, not exceeding one half

Assessment of betterments, etc.

Proviso.

the benefit accruing to such estates. The provisions of law allowing assessment of betterments in the case of town ways shall apply to the laying out and construction of drains under this act.

Payment of
assessments,
etc.

SECTION 5. When a sewer or drain in a street, way or district, or part of a street, way or district, public or private, included within any of said systems, is completed and ready for use, the board of sewer commissioners shall file a certificate and plan in the office of the collector of taxes, designating the street, way or district, or part of a street, way or district in which the sewer or drain has been completed, and setting forth the names of the supposed owners of the estates abutting and benefited, the area assessed, and the amount of assessment or charge to be paid by each owner; and the said collector shall forthwith make a demand in writing for the payment of such assessments or charges, and every such owner shall within three months after such demand is served on him or on the occupant of his estate, or sent by mail to the last address of such owner known to the board, pay to said collector the sum so assessed or charged, with interest at the rate of six per cent per annum, after thirty days from the date of said notice: *provided*, that said board shall on written request of any such owner, made within the said three months, apportion such assessment or charge into such number of equal parts, not exceeding ten, as such owner shall designate in his request; and they shall certify such apportionment to the assessors and collector. Interest from the date of said apportionment at the rate of six per cent per annum shall be added to each of said assessments or charges until they are paid, and one of said parts shall thereafter be added by the assessors to the annual tax on such estates for each year next ensuing, until all of said parts have been so added, unless sooner paid, as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time of two or more parts in one payment, notwithstanding its prior apportionment, of any balance of any assessment or charges then remaining unpaid; but interest on such balance at the rate of six per cent per annum shall be paid to the date of such payment; and thereupon said tax collector shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof.

Proviso.

SECTION 6. The assessment or charge under section four shall constitute a lien upon the estate, which shall continue for three years after said certificate is filed and demand is served as above provided, or, in case of apportionment, until the expiration of two years from the date when the last instalment is committed to the collector of taxes; and said assessment, together with interest at the rate of six per cent per annum, may, with incidental costs and expenses, be levied by sale of such estate or so much thereof as shall be sufficient to discharge the assessment and interest and intervening charges. If the assessment is not paid within three months after service of said notice, or, if apportioned, within three months after any part has become due, such sale and proceedings connected therewith shall be conducted in the same manner in which sales for the non-payment of taxes are conducted; and real estate so sold may be redeemed in the same manner as if it had been sold for the non-payment of taxes. Such assessments or parts thereof may also be collected by an action of contract, in the name of the town of Revere, against the owner of said estate brought at any time within three years after the same has become due.

Assessment to constitute a lien upon estate, etc.

May be collected by an action of contract.

SECTION 7. Any person aggrieved by such an assessment may at any time within three months after service of the demand mentioned in section five of this act apply to the superior court of said county for a jury to revise the same; but before making such application he shall give to the said board of sewer commissioners fourteen days notice in writing of his intention so to do, and shall therein particularly specify his objections to the assessment, to which specification he shall be confined before the jury.

Persons aggrieved may apply for a jury, etc.

SECTION 8. Said board of sewer commissioners may, with the written consent and under the supervision of the metropolitan park commission, construct, maintain and operate sewers and drains in any location granted therefor by the said commission, in any park, parkway, road or reservation controlled by said metropolitan park commission in the town of Revere, and may levy and collect assessments for the same on abutting estates, in the manner provided in previous sections of this act.

Sewers may be constructed, etc., in certain locations granted by the metropolitan park commission.

SECTION 9. Said board may prescribe rules and regulations for the connecting of estates and buildings with said sewers and drains, and for the inspection of the materials,

Rules and regulations may be prescribed, etc.

the construction, alteration and use of all connections and drains entering into such sewers or drains, and may impose penalties not exceeding twenty dollars for every violation of any such rule or regulation. Such rules or regulations shall be published not less than once a week for three successive weeks in one or more newspapers published in the town of Revere, and shall not take effect until such publication has been made. The said board may lay, make and maintain particular sewers or drains from common sewers or main drains to the street line, and particular drains or sewers so laid shall be the property of the town. The owner of any estate benefited by such particular sewer or drain shall pay to the town toward the cost thereof, and for the permanent privilege of using the same, such reasonable sum as said board shall determine; and said sum may be fixed at the estimated average cost of all such particular sewers or drains within the territory for which a system of sewers and drains has been built and adopted.

Particular
sewers, etc.,
may be main-
tained, etc.

Certain provi-
sions of law to
apply.

SECTION 10. All the provisions of chapter fifty of the Public Statutes and of acts in amendment thereof pertaining to sewers and drains, and of chapter two hundred and forty-five of the acts of the year eighteen hundred and ninety-two, so far as the same are not inconsistent with this act, shall apply to the town of Revere in carrying out the provisions of this act.

SECTION 11. This act shall take effect upon its passage.

Approved April 20, 1900.

Chap. 251 AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND EXPENSES OF THE COMMISSIONERS ON INLAND FISHERIES AND GAME.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, for the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Commissioners
on inland fish-
eries and game.

For the compensation and expenses of the commissioners on inland fisheries and game, a sum not exceeding four thousand dollars.

Propagation and
distribution of
fish, birds, etc.

For the enforcement of laws, propagation, protection and distribution of fish, birds and other animals, rent and

maintenance of hatcheries, printing and incidental expenses, a sum not exceeding fifteen thousand dollars.

For expenses of stocking great ponds with food fish, a sum not exceeding five hundred dollars. Stocking great ponds.

SECTION 2. This act shall take effect upon its passage.

Approved April 20, 1900.

AN ACT TO AUTHORIZE THE TOWN OF IPSWICH TO COMPENSATE GEORGE P. SMITH FOR INJURIES RECEIVED WHILE ASSISTING A POLICE OFFICER IN MAKING AN ARREST.

Chap.252

Be it enacted, etc., as follows :

SECTION 1. The town of Ipswich is hereby authorized to compensate George P. Smith for injuries received by him at Ipswich on the eighteenth day of April in the year eighteen hundred and ninety-five while assisting a police officer of the town in making an arrest. Town of Ipswich may compensate George P. Smith for injuries received.

SECTION 2. This act shall take effect upon its passage.

Approved April 23, 1900.

AN ACT RELATIVE TO INJURIES RECEIVED ON STATE HIGHWAYS.

Chap.253

Be it enacted, etc., as follows :

SECTION 1. The Commonwealth shall be liable for injuries to persons travelling upon state highways, in the same manner and subject to the same limitations, conditions and restrictions as are provided by sections eighteen, nineteen, twenty-one and twenty-two of chapter fifty-two of the Public Statutes and acts in amendment thereof or in addition thereto, except that the notice of injury shall be given to the secretary of the Massachusetts highway commission or to any member thereof. The amount recovered for such injuries shall not exceed one fifth of one per cent of the state valuation last preceding the commencement of the action, of the town or city in which such injury is received, nor shall it exceed four thousand dollars. The Commonwealth to be liable for injuries to persons travelling upon state highways, etc.

SECTION 2. Nothing herein contained shall render the Commonwealth liable for any injury or damage caused while a state road is being constructed, nor shall the Commonwealth be liable for any injuries except those received upon that part of the way lying between the inside lines of sidewalks, as defined in chapter three hundred and forty-five of the acts of the year eighteen hun- Not to be liable in certain cases.

Temporary
repairs of state
highways.

dred and ninety-six. A city or town may make temporary necessary repairs of a state highway without the approval of said commission.

Repeal.

SECTION 3. Section six of chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four is hereby repealed.

Approved April 25, 1900.

Chap. 254

AN ACT FOR THE BETTER PROTECTION OF CHILDREN.

Be it enacted, etc., as follows:

Agent of state
board of charity
to investigate
treatment and
condition of
certain children,
etc.

SECTION 1. The state board of charity by a specially authorized agent may enter without actual force any building or room in which the agent has reason to believe that a child under the age of seven years is sheltered or maintained apart from his parents and is not receiving proper care. The agent shall investigate the case and make report to the superintendent of state minor wards or other designated officer of the board, and such officer may cause such child, if he is not under the personal care of a parent or guardian, to be removed to the custody of the board if he deems such removal necessary for the protection of the child from neglect or abuse. An agent who is refused such entry or is hindered in the removal of such child may make complaint on oath to a justice of a court of record, who may thereupon issue a warrant authorizing him to obtain sufficient aid and at any reasonable time to enter the building designated, and every part thereof, for the purpose of investigating the treatment and condition of the child or children who may be found there, and to remove all or any of such children as herein provided.

Powers and
duties of state
board of charity
in case of re-
moval of child.

SECTION 2. Upon such removal the officer shall forthwith notify the state board of charity of his doings, and the board shall thereupon decide whether to retain such child in its custody or to restore him to his parent or guardian, or to the place from which he was removed. The board shall have the same powers and duties as to a child so retained which it has as to neglected children committed to its custody by the courts. But the board shall upon request discharge such child to his legal guardian, and if he has no guardian then to his father, and if he has no father then to his mother, unless within a reasonable time it secures the commitment of such child, under the provisions of chapter one hundred and eighty-one of the acts of the year eighteen hundred and eighty-two and of acts in amendment thereof.

SECTION 3. The state board of charity may in its discretion notify the person or corporation from whose care or custody a child has been taken under this act that no other child shall be received or maintained by such person or corporation, not being the legal guardian of such child, without a permit from the board.

Certain persons, etc., not to receive, etc., children without permit.

SECTION 4. When it appears to the state board of charity that the guardian of any child under the age of seven years is unsuitable for his trust the board shall apply to the proper court for his removal.

Removal of guardians.

SECTION 5. Whoever obstructs or hinders the state board of charity or any of its officers or agents in the execution of the duties and powers herein imposed or conferred, or, after notification as aforesaid, receives a child without having a permit therefor as herein provided, shall be punished by a fine not exceeding one hundred dollars, and upon a second conviction under this act shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the jail or house of correction for a term not exceeding six months.

Penalties.

Approved April 25, 1900.

AN ACT TO PROVIDE THAT WOMEN MAY SERVE AS OVERSEERS OF THE POOR IN THE CITY OF LOWELL.

Chap.255

Be it enacted, etc., as follows :

SECTION 1. No person shall be disqualified by reason of sex from election to or from holding the office of overseer of the poor of the city of Lowell.

Not disqualified by reason of sex.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved April 25, 1900.

AN ACT RELATIVE TO MECHANICS' LIENS FOR THE REMOVAL OF BUILDINGS OR OTHER STRUCTURES.

Chap.256

Be it enacted, etc., as follows :

SECTION 1. Section one of chapter one hundred and ninety-one of the Public Statutes is hereby amended by inserting after the word "alteration", in the third line, the word : — removal, — so as to read as follows : — *Section 1.* Any person to whom a debt is due for labor performed or furnished or for materials furnished and actually used in the erection, alteration, removal, or repair of a building or structure upon real estate, by virtue of an agreement with or by consent of the owner of such build-

P. S. 191, § 1, amended.

Certain persons to have lien upon buildings, etc.

ing or structure or of any person having authority from or rightfully acting for such owner in procuring or furnishing such labor or materials, shall have a lien upon such building or structure and upon the interest of the owner thereof in the lot of land upon which the same is situated, to secure the payment of the debt so due to him and of the costs which may arise in enforcing such lien, except as is hereinafter provided.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1900.

Chap.257

AN ACT RELATIVE TO THE RESERVE OF TRUST COMPANIES.

Be it enacted, etc., as follows:

Where reserve of certain trust companies may be deposited.

SECTION 1. Any trust company subject to the provisions of section thirteen of chapter four hundred and thirteen of the acts of the year eighteen hundred and eighty-eight may deposit a part of its reserve in any trust company incorporated under the laws of this Commonwealth and doing business therein, which may be approved for the purpose by the board of commissioners of savings banks: *provided, however*, that any company so approved shall at all times have on hand as a reserve, in lawful money of the United States, an amount equal to at least fifteen per cent of the aggregate amount of all its deposits which are subject to withdrawal upon demand, or within ten days, anything in its charter or by-laws to the contrary notwithstanding; and *provided, further*, that one third of said fifteen per cent may in lieu of lawful money consist of balances payable on demand, due from any national bank doing business in this Commonwealth or in the city of New York.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1900.

Chap.258

AN ACT RELATIVE TO THE TAKING OF LAND OR OTHER PRIVATE PROPERTY BY THE BOSTON ELEVATED RAILWAY COMPANY, AND TO CONFIRM THE LOCATIONS OF SAID COMPANY IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Taking of land, etc., by the Boston Elevated Railway Company.

SECTION 1. In all cases wherein the Boston Elevated Railway Company has heretofore taken or shall hereafter take land or private property in accordance with the provisions of section eleven of chapter five hundred and forty-eight of the acts of the year eighteen hundred and

ninety-four, either party, if dissatisfied with the estimate of the county commissioners, or of the aldermen of the city of Boston having like powers and performing like duties within said city as are exercised and performed by the county commissioners of counties, may at any time within one year after the estimate is made apply for a jury in the superior court for the county in which such land or private property is situated, to assess the damages occasioned by such taking, and upon such application the proceedings shall be the same as are provided for the recovery of damages in the laying out of highways.

SECTION 2. The locations of the Boston Elevated Railway Company in the county of Suffolk, filed by said company with the aldermen of the city of Boston, are hereby ratified and confirmed as valid locations and takings to all intents and purposes of the lands described in said locations and in the plans accompanying the same: *provided, however*, that claims for damages by reason of said locations and takings, or any of them, not heretofore legally satisfied, may be made and enforced in the same manner and with the same effect as if the filing of each and all of said locations and takings was first made at the time of the passage of this act.

Certain locations confirmed, etc.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved April 25, 1900.

AN ACT TO AUTHORIZE THE TOWN OF NEEDHAM TO REFUND A PORTION OF ITS DEBT.

Chap. 259

Be it enacted, etc., as follows:

SECTION 1. The town of Needham is hereby authorized to issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thirty-two thousand five hundred dollars, for the purpose of refunding a portion of its existing indebtedness. The bonds, notes or scrip issued under the provisions of this act shall be payable not more than thirty years from the date of issue, and shall bear interest payable semi-annually at a rate not exceeding four per cent per annum. They shall be signed by the treasurer and countersigned by the selectmen of the town and may be sold or negotiated at public or private sale, and the proceeds shall be used to discharge an equal amount of the existing debt of said town.

May issue bonds, notes or scrip, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1900.

Chap.260 AN ACT TO PROVIDE FOR THE IDENTIFICATION OF FEMALE CRIMINALS*Be it enacted, etc., as follows :*Identification
of female
criminals.

SECTION 1. The provisions of chapter three hundred and sixteen of the acts of the year eighteen hundred and ninety, being "An Act to provide for the registration and identification of criminals", shall apply to every convict who is hereafter sentenced to the reformatory prison for women for a crime which if committed by a man would be a felony.

Record of
measurements,
etc., to be kept.

SECTION 2. The superintendent of the reformatory prison for women shall keep the record of measurements and descriptions, and perform such other duties in respect to the identification of criminals in that prison as are prescribed in said chapter and in the amendments thereto in respect to convicts in other prisons.

SECTION 3. This act shall take effect upon its passage.

*Approved April 25, 1900.***Chap.261** AN ACT RELATIVE TO THE SERVICE OF PROCESS UPON THE COMMISSIONER OF CORPORATIONS.*Be it enacted, etc., as follows :*First clerk to
perform duties
in case of the
absence, etc.,
of the commis-
sioner of corpo-
rations.

SECTION 1. When there is a vacancy in the position of commissioner of corporations, or when that officer is absent from his office, the first clerk in the office of the said commissioner shall perform the duties of said officer, and any legal process served on said clerk shall have the same force and effect as if served upon the commissioner.

SECTION 2. This act shall take effect upon its passage.

*Approved April 25, 1900.***Chap.262** AN ACT TO CHANGE AND ESTABLISH THE BOUNDARY LINE BETWEEN THE CITY OF NORTH ADAMS AND THE TOWN OF WILLIAMSTOWN.*Be it enacted, etc., as follows :*Boundary line
between North
Adams and
Williamstown
changed, etc.

SECTION 1. The boundary line between the city of North Adams and the town of Williamstown is hereby changed and established as follows : — Beginning at a stone monument standing at the northwest corner of the city of North Adams, said monument being marked "A" on its southerly face, and "C L" on its northerly face, bearing the dates "1842" and "1895"; thence running westerly in a line forming a right angle with the present boundary line between the city of North Adams and the

town of Williamstown, two thousand five hundred and fifty feet; thence southerly in a line parallel with the present boundary line between said city and town to the southerly line of the Notch road, so-called; thence easterly along the southerly line of the Notch road to the present boundary line between the said city and town. All that part of the town of Williamstown between the lines above described and the present boundary line between said city and town, with all the inhabitants and estates therein, is hereby set off from the town of Williamstown and annexed to and made a part of the city of North Adams, and, until a new division of wards in said city is made, shall constitute a part of the first ward in said city. Said inhabitants shall hereafter be inhabitants of the city of North Adams and shall enjoy all the rights and privileges and be subject to all the duties and liabilities of the inhabitants of said city.

Boundary line between North Adams and Williamstown changed, etc.

SECTION 2. The expenses incurred in the establishment of the lines hereby defined, and the erection of suitable monuments at the angles thereof, shall be paid equally by the town of Williamstown and by the city of North Adams.

Payment of expenses.

SECTION 3. The inhabitants and estates within the territory above described, and the owners of such estates, shall be holden to pay all taxes which have been heretofore legally assessed upon them by the town of Williamstown; and all taxes heretofore assessed and not collected shall be collected and paid to the treasurer of the town of Williamstown, in the same manner as if this act had not been passed. Until the next state valuation the city of North Adams shall annually on or before the thirty-first day of October pay to the town of Williamstown the proportion of any state or county tax which the town of Williamstown may be required to pay upon the inhabitants or estates hereby set off, said proportion to be ascertained and determined by the last valuation next preceding the passage of this act; and the assessors of the town of Williamstown shall make returns of said valuation and the proportion thereof in the town of Williamstown and the city of North Adams, respectively, to the secretary of the Commonwealth and to the county commissioners of the county of Berkshire.

Payment of taxes.

SECTION 4. The city of North Adams shall be liable for the relief and support of all persons now or hereafter in need of relief as paupers, whose settlements were

Relief and support of paupers.

gained, whether by original acquisition or derivation, by reason of a residence in the territory hereby annexed to said city.

City of North Adams to pay a certain sum to the town of Williamstown.
Proviso.

SECTION 5. Within one year from the passage of this act the city of North Adams shall pay to the town of Williamstown the sum of three thousand dollars: *provided, however*, that the inhabitants of Williamstown shall, prior to said payment, duly execute and deliver to the city of North Adams a good and sufficient deed, conveying to said city all the right, title and interest now owned by said Williamstown in and to the Blackinton Union School Property, so-called, situated in North Adams in the village of Blackinton.

Election of state and county officers, etc.

SECTION 6. Until a new apportionment of representatives shall be made the inhabitants of the territory described in section one of this act shall, for the purpose of electing state and county officers, members of the executive council, senators and representatives to the general court, electors of president and vice president of the United States, and representatives to congress, continue to be a part of the town of Williamstown; and the inhabitants resident therein qualified to vote shall be entitled to vote for said officers and shall be eligible to the office of representative in the town of Williamstown, and shall vote at the place or places at which the inhabitants of the town of Williamstown vote. The registrars of voters of the city of North Adams shall annually make a true list of all persons resident in said territory qualified to vote at every such election, and post the same in said territory according to law. They shall also deliver one such list corrected as required by law to the selectmen of the town of Williamstown, at least seven days before any such election; and the same shall be taken and used for such election by the selectmen of said town, in the same manner as if it had been prepared by themselves.

List of voters to be made and posted, etc.

SECTION 7. This act shall take effect upon its passage.

Approved April 25, 1900.

Chap. 263 AN ACT TO PROVIDE FOR THE TRANSFER OF THE HARRIS COLLECTION FROM THE CHARLESTOWN BRANCH LIBRARY TO THE CENTRAL LIBRARY IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Certain books, papers, etc., may be re-

The trustees of the Boston public library are hereby empowered to remove from the Charlestown branch of

the Boston public library to the central library the books, papers, pamphlets and other matter known as the "Harris Collection." Said trustees may also spend the interest of the Harris fund, under the conditions of the bequest, for books for this collection after its removal to the central library: *provided*, that said trustees shall spend in five yearly instalments a sum equal to the present accumulated interest of the Harris fund, for new books to replace those of the Harris collection removed in accordance with this act; and *provided, also*, that a sum equal to the yearly interest of the Harris bequest shall be spent each year by said trustees for new books for the Charlestown branch. Should said trustees fail to comply with these conditions the Harris collection shall be returned to the Charlestown branch. Any agreement to the contrary of the foregoing appearing in the articles of annexation of the city of Charlestown to the city of Boston is hereby annulled. This act shall in no way affect the will of the late Charlotte Harris of Charlestown. *Approved April 25, 1900.*

moved from the Charlestown branch to the central library in Boston.

Provisos.

AN ACT TO AUTHORIZE THE BOSTON BAPTIST SOCIAL UNION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. *Chap. 264*

Be it enacted, etc., as follows:

SECTION 1. The Boston Baptist Social Union, a corporation located in the city of Boston, may hold real and personal estate to an amount not exceeding fifteen hundred thousand dollars, for the purposes for which it was incorporated. May hold additional real and personal estate.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE POLICE COURT OF LYNN. *Chap. 265*

Be it enacted, etc., as follows:

SECTION 1. The salary of the justice of the police court of Lynn shall be twenty-five hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. Justice of police court of Lynn.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1900.

Chap.266 AN ACT TO AUTHORIZE THE TREASURER OF THE COMMONWEALTH TO MAKE ADVANCES OF MONEY TO BONDED PAYMASTERS OF THE MILITIA.

Be it enacted, etc., as follows:

Advances of money may be made to bonded paymasters of the militia.

SECTION 1. The treasurer and receiver general of the Commonwealth may advance to bonded paymasters of the militia a sum of money not exceeding eighty per cent of the pay and mileage due or to become due to the officers and men of the militia for duty performed at camp or annual drill, under such rules and regulations as he may prescribe.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1900.

Chap.267 AN ACT RELATIVE TO THE ATTENDANCE OF WITNESSES BEFORE BOARDS OF REGISTRARS OF VOTERS.

Be it enacted, etc., as follows:

P. S. 169, § 7, etc., amended.

Attendance of witnesses before city and town officers, etc.

SECTION 1. Section seven of chapter one hundred and sixty-nine of the Public Statutes, as amended by section one of chapter two hundred and sixty-seven of the acts of the year eighteen hundred and eighty-two, is hereby further amended by striking out the whole of said section and inserting in place thereof the following: — *Section 7.* Witnesses may be summoned to attend and testify, and to produce books and papers, at any hearing before a city council or either branch thereof, or before a joint or special committee of the same or of either branch thereof, or a board of selectmen, or a board of police commissioners, or a board of registrars of voters, or in Boston the board of election commissioners, as to matters within their respective jurisdictions; and such witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties for default, as witnesses before police courts. The presiding officer of such council or of either branch thereof, and any member of any such committee or board of selectmen, or board of police commissioners, or board of registrars of voters, or in Boston the board of election commissioners, may administer oaths to witnesses appearing before such council or either branch thereof, or before any such committee or board respectively.

SECTION 2. Section eight of said chapter one hundred and sixty-nine, as amended by section two of chapter two hundred and sixty-seven of the acts of the year eighteen hundred and eighty-two, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:— *Section 8.* If a witness so summoned and paid fails to attend in pursuance of such summons, the presiding officer of such city council or of either branch thereof, or the chairman of the board of selectmen, or chairman of the board of police commissioners, or the chairman of a board of registrars of voters, or in Boston the chairman of the board of election commissioners, respectively, may issue a warrant to bring such witness before them to testify in the cause in which he was summoned.

P. S. 166, § 8, etc., amended.

In case of failure of witness to attend warrant may be issued.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE POLICE COURT OF LAWRENCE.

Chap. 268

Be it enacted, etc., as follows:

SECTION 1. The salary of the justice of the police court of Lawrence shall be twenty-five hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

Justice of police court of Lawrence.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1900.

AN ACT RELATIVE TO THE EMPLOYMENT OF PRISONERS IN MAKING GOODS FOR PUBLIC USE.

Chap. 269

Be it enacted, etc., as follows:

SECTION 1. The public institutions named in chapter three hundred and thirty-four of the acts of the year eighteen hundred and ninety-eight, being "An Act to provide for the employment of prisoners in making goods for the use of the prisons and other public institutions", shall include every institution of the Commonwealth or of any county which is established, maintained or supported wholly or in part by the appropriation of public moneys.

Provisions of chapter 334, Acts of 1898, to apply to certain institutions.

SECTION 2. The provisions of said chapter three hundred and thirty-four are hereby extended and applied to

To apply to public institutions of certain cities.

the public institutions of any city having a population of forty thousand inhabitants according to the census of the year eighteen hundred and ninety-five; and the principal officer of any institution supported by the appropriation of public moneys in any city included under the terms of this act shall make requisition for any articles that can be furnished by the labor of prisoners, in the same manner in which principal officers of state and county institutions are now required to make requisition under said chapter.

Approved April 26, 1900.

Chap. 270 AN ACT RELATIVE TO THE CONSTRUCTION OF BUILDINGS IN THE
PARKS AND PLAYGROUNDS OF THE CITY OF QUINCY.

Be it enacted, etc., as follows:

Structures may
be erected in
parks and play-
grounds of
Quincy.

SECTION 1. The park commissioners of the city of Quincy may construct and maintain in parks or playgrounds of the city, now or hereafter under their control, structures for the shelter and refreshment of persons frequenting such parks or playgrounds, and may construct and maintain public bath houses along the shore and within the bounds of any such parks or playgrounds. The aforesaid structures shall be erected in such situations as in the opinion of the chief of the fire department of the city will not endanger buildings beyond the limits of such parks or playgrounds.

Certain provi-
sions of law
not to apply.

SECTION 2. Section sixteen of chapter fifty-four of the Public Statutes and chapter seventy-five of the acts of the year eighteen hundred and ninety-three shall not apply to the structures hereby authorized to be erected.

SECTION 3. This act shall take effect upon its passage.

Approved April 27, 1900.

Chap. 271 AN ACT RELATIVE TO THE CONSTRUCTION OF CELLARS IN THE CITY
OF BOSTON.

Be it enacted, etc., as follows:

1892, 419, § 81,
etc., amended.

SECTION 1. Section thirty-one of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-two, as amended by section thirteen of chapter four hundred and forty-three of the acts of the year eighteen hundred and ninety-four, is hereby amended by striking out in the thirteenth and fourteenth lines, the words "cellar or basement floors to be constructed in

buildings, no part of which is to be used as a dwelling", and inserting in place thereof the words:—cellars no parts of which are to be used as living or sleeping rooms, to be constructed, —so as to read as follows:—*Section 31.* The cellar of every dwelling hereafter built on filled or made land, or where the grade or nature of the ground requires, shall be sufficiently protected from water and damp by a bed at least two inches thick over the whole, of concrete, cement and gravel, tar and gravel, or asphalt, or by bricks laid in cement. The space between any floor and the cellar bottom shall be well ventilated. No cellar or basement floor of any building shall be constructed below the grade of twelve feet above mean low water: *provided, however,* that the board of aldermen may, by license, subject to revocation by them at any time for sufficient reason of public health, authorize cellars no parts of which are to be used as living or sleeping rooms, to be constructed so much below said grade as they may designate in such license. All metal foundations and all constructional iron work under ground shall be protected from dampness by concrete, in addition to two coats of red lead, or other material approved by the inspector.

Construction of certain cellars in Boston.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1900.

AN ACT TO ESTABLISH A BOARD OF SURVEY FOR THE TOWN OF WATERTOWN. *Chap. 272*

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Watertown shall constitute a Board of Survey for the town.

Board of Survey for Watertown.

SECTION 2. Any person or corporation desiring to lay out, locate or construct any street or way in said town after the passage of this act shall, before beginning such construction, submit to said board of survey suitable plans of such street or way, to be prepared in accordance with such rules and regulations as the board may prescribe. Upon the receipt of such plans, with a petition for their approval, the board shall give a public hearing thereon, after giving notice of such hearing by publication once a week for two successive weeks in a newspaper published in the town, the last publication to be at least two days before the hearing; and after such hearing the board may alter such plans and may determine where such street or

Plans of streets or ways to be submitted to board, etc.

Public hearing to be given, etc.

way shall be located, and the widths and grades thereof, and shall so designate on said plans. The plans shall then be approved and signed by the board and filed in the office of the clerk of the town, who shall attest thereon the date of such filing.

Plans to be made showing location of streets or ways, etc.

Public hearings to be given, etc.

SECTION 3. The board of survey shall from time to time cause to be made under its direction plans of such territory or sections of land in said town as the board may deem advisable, showing thereon the location of such streets or ways, whether already laid out or not, as the board shall be of opinion that present or future interests of the public will require in such territory, and showing clearly the directions, widths and grades of each street or way; and the board may employ such assistants and incur such expense in regard to said plans as it may deem necessary, not exceeding the amount of money appropriated by the town for the purpose. Before making any such plan the board shall give a public hearing as to the locations, directions, widths and grades of streets or ways in the territory to be shown on the plan, after giving notice of such hearing by publication once a week for two successive weeks in a newspaper published in the town, the last publication to be at least two days before the hearing, and shall after making any such plan give a like notice of hearing, and a hearing thereon, and keep the plan open to public inspection for one month after the first publication of notice of such hearing. After such hearing, and after the alterations deemed necessary by the board have been made in such plan, the plan shall be marked as made under the provisions of this act, shall be signed by the board, and shall then be filed in the office of the clerk of said town, who shall attest thereon the date of such filing.

Certain powers of selectmen not abridged, etc.

Construction of streets or ways, etc.

SECTION 4. The powers of the board of selectmen of said town in regard to highways shall not be abridged by this act in any manner, except as provided in this section, and the powers given to them by this act shall be in addition to the powers now possessed by them. After the passage of this act no street or way in the town of Watertown, shown on any plan filed as aforesaid, shall be laid out, located anew, altered or widened, and no such street or way, whether already or hereafter laid out, shall be constructed by any public authority, except in accordance with the provisions of this act. If any person or corpora-

tion shall hereafter open for public travel any private way the location, direction, widths and grades of which have not previously been approved in writing by the board of survey in the manner provided in this act, then neither the town nor any other public authority shall place any public sewer, drain, water pipe or lamp in, or do any public work of any kind on, such private way so opened to public travel contrary to the provisions of this act: *provided, however*, that these provisions shall not prevent Proviso. the laying of a trunk sewer, water or gas main, if it be required by engineering necessities.

SECTION 5. If any building shall hereafter be placed or erected in said town within the boundaries of any street or way shown on any of the plans filed with the town clerk as herein provided, or on land adjacent to any such street or way the grade of which at the time of placing or erecting such building is other than the grade shown on said plans, or on land adjacent to any street or way the plan and profile of which have not been approved by said board of survey, no damages caused to any building so placed or erected, by the construction of such street or way as shown on said plans, or caused to any building so placed or erected, or to the land upon which such building is placed or erected, by the subsequent change of grade of any street or way the plan of which has not been approved by said board of survey, shall be recovered by or paid to the owner of the whole or any part of the estate of which the land upon which said building so placed or erected formed a part at the date of the first publication of notice of hearing as aforesaid. Erection, etc., of buildings at grades other than those filed, etc.

SECTION 6. Said town may from time to time appropriate sums of money to be expended by the board of survey for carrying out the provisions of this act; but no expenditures shall be made in excess of such appropriations. Appropriations.

SECTION 7. Said board of survey, its officers and agents, may, so far as they deem it necessary in carrying out the provisions of this act, enter upon any lands, and there make such examinations and surveys and place and maintain such monuments and marks, as they may deem necessary; and any person injured in his property by such entry or by such placing and maintaining, who fails to agree with the town as to the amount of his damages, may have them assessed and determined in the manner provided by law when land is taken for the laying out of highways Lands may be entered upon, surveys made, etc.

in said town, on application at any time within one year from such entry or from such placing and maintaining.

Not to authorize taking of land, etc.

SECTION 8. This act shall not be construed to authorize any taking or condemnation of land, or to render the town liable for damages of any kind, except for making entries upon land and for placing and maintaining monuments and marks as authorized by section seven, nor to authorize the said town to lay out or to construct any way located on any of said plans, until such way has been laid out as a highway under other provisions of law.

SECTION 9. This act shall take effect upon its passage.

Approved April 27, 1900.

Chap. 273 AN ACT RELATIVE TO THE DISTRIBUTION OF PROFITS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Portion of certain assets to be transferred to surplus account, etc.

SECTION 1. Every co-operative bank which carries on its books as assets any unpaid interest, premiums or fines, shall, at each periodic distribution of profits, transfer at least five per cent of such items to the credit of its surplus account, until such account amounts to at least twenty-five per cent of the total of all such items existing at the time of such distribution.

Certain banks to be exempt.

SECTION 2. Any bank which has at the time of the passage of this act a surplus equal to the amount mentioned in section one shall be exempt from the provisions of said section until its surplus falls below said amount.

Surplus to be replenished by transfers in certain cases.

SECTION 3. Whenever the amount in said surplus account falls below twenty-five per cent of said unpaid interest, premiums and fines, it shall be replenished by transfers, in the manner specified in section one, until it reaches said amount.

SECTION 4. This act shall take effect upon its passage.

Approved April 27, 1900.

Chap. 274 AN ACT TO ABOLISH THE PRESENT BOARD OF SURVEY FOR THE TOWN OF REVERE AND TO TRANSFER ITS POWERS AND DUTIES TO THE SELECTMEN OF THE TOWN.

Be it enacted, etc., as follows:

Board of Survey for Revere.

SECTION 1. The selectmen of the town of Revere shall constitute a Board of Survey for said town.

Plans of streets or ways to be submitted to board, etc.

SECTION 2. Any person or corporation desiring to lay out, locate or construct any street or way in said town

after the passage of this act shall, before beginning such construction, submit to the board of survey suitable plans, to be prepared in accordance with such rules and regulations as the board may prescribe. Upon the receipt of such plans, together with a petition for their approval, said board shall give a public hearing thereon, after advertising such hearing once a week for two successive weeks in a newspaper published in said town, the last advertisement to be at least two days before the hearing; and after such hearing the board may alter such plans and determine where such street or way shall be located, and the widths and grades thereof, and shall so designate on said plans. The plans shall then be approved and signed by the board and filed in the office of the clerk of the town, who shall attest thereon the date of such filing.

Public hearing
to be given, etc.

SECTION 3. The board of survey shall from time to time cause to be made under its direction plans of such territory or sections of land in said town as the board may deem necessary, showing thereon the location of such streets or ways, whether already laid out or not, as the board shall judge that the present or future interests of the public will require in such territory, showing clearly the directions, widths and grades of each street or way; and the board may employ such assistants and incur such expenses for this purpose as it may deem necessary, not exceeding the amount of money appropriated by the town for such purpose. The board, before making any such plan, shall give a public hearing as to the locations, directions, widths and grades of streets or ways in the territory to be shown on the plan, after advertising such hearing once a week for two successive weeks in a newspaper published in said town, the last advertisement to be at least two days before the hearing, and shall, after making any such plan, give a like notice of hearing, and a hearing thereon, and shall keep the plan open to public inspection for one month after the first advertisement of such hearing. Such plan shall thereafter, and after any alterations deemed necessary by said board have been made thereon, be marked as made under the provisions of this act, shall be signed by the board, and shall then be filed in the office of the clerk of the town, who shall attest thereon the date of such filing.

Plans to be
made showing
location of
streets or ways,
etc.

Public hearings
to be given, etc.

SECTION 4. The powers of the board of selectmen of said town in regard to highways shall not be abridged by

Certain powers
of selectmen
not abridged,
etc.

Construction
of streets or
ways, etc.

this act in any manner, except as provided in this section, and the powers given to them in this act shall be in addition to the powers now exercised by them. After the passage of this act no street or way in the town of Revere, shown on any plan filed as aforesaid, shall be laid out, located anew, altered or widened, and no such street or way, whether already or hereafter laid out, shall be constructed by any public authority, except in accordance with the provisions of this act. If any person or corporation shall hereafter open for public travel any private way, the location, direction, widths and grades of which have not previously been approved in writing by said board of survey, in the manner provided in this act, then neither the town nor any other public authority shall place any public sewer, drain, water pipe or lamp in, or do any public work of any kind on, such private way so opened to public travel contrary to the provisions of this act: *provided, however*, that this provision shall not prevent the laying of a trunk sewer, water or gas main, as engineering demands may require.

Proviso.

Erection, etc.,
of buildings at
grades other
than those
filed, etc.

SECTION 5. If any building shall hereafter be placed or erected in said town upon land within the boundaries of any street or way shown on any of the plans filed with the town clerk as herein provided, or on land adjacent to any such street or way the grade of which at the time of placing or erecting such building is other than the grade shown on said plans, or on land adjacent to any street or way the plan and profile of which have not been approved by the board of survey, no damages caused to any building so placed or erected, by the construction of such street or way as shown on said plans, or caused to any building so placed or erected, or to the land upon which said building is placed or erected, by the subsequent change of grade of any street or way the plan of which has not been approved by the board of survey, shall be recovered by or paid to the owner of the whole or any part of the estate of which the land upon which said building so placed or erected formed a part at the date of the first advertisement aforesaid.

Appropriations.

SECTION 6. The said town may from time to time appropriate sums of money to be expended by the board of survey in carrying out the provisions of this act. No expenditures shall be made in excess of such appropriations.

SECTION 7. Chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-six is hereby repealed and the board of survey thereby established is hereby abolished. Repeal, etc.

SECTION 8. The question of the acceptance of this act shall be submitted to the voters of the town of Revere at the next ensuing state election, and the act shall take effect upon its acceptance by a majority of the voters voting thereon. When to take effect.
Approved May 2, 1900.

AN ACT RELATIVE TO THE MASSACHUSETTS STREET RAILWAY ACCIDENT ASSOCIATION.

Chap. 275

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and eighty-six of the acts of the year eighteen hundred and ninety-seven is hereby amended by striking out all after the word "therein", in the seventh line, so as to read as follows:— **Section 2.** Said corporation shall effect insurance only upon business named in section one of this act and shall not do business until its by-laws and form of policy have been submitted to and approved by the insurance commissioner, nor until at least four of the street railway corporations of this Commonwealth shall have applied for insurance therein. 1897, 286, § 2, amended.

Form of policy, etc., to be approved by insurance commissioner.

SECTION 2. This act shall take effect upon its passage.
Approved May 2, 1900.

AN ACT RELATIVE TO WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF SPRINGFIELD.

Chap. 276

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of Springfield may by ordinance designate some officer or officers of the city, who shall have exclusive authority to cause to be removed from the streets of the city within the district hereinafter prescribed, all telegraph, telephone or electric light wires, cables or conductors, in or above said streets, and all poles and structures in said streets used for the support of the same, except such structures, poles, wires, cables and conductors as are hereinafter excepted, and to cause all such wires, cables and conductors to be placed, maintained and operated in underground conduits. Removal of wires from the streets of Springfield.

SECTION 2. The provisions of this act shall apply to that district of the city of Springfield which is bounded To apply to a certain district.

Certain wires,
etc., to be
removed or
placed under-
ground.

by a circumference whose centre is Court square and whose radius is two miles in length from said centre. And said officer or officers, within thirty days after appointment, and in each January thereafter until the work in the said district is completed, shall prescribe, giving public notice thereof in at least two daily newspapers in said city, by advertising therein twice a week for two weeks in succession, a part of said district, consisting of not less than three nor more than five miles of streets, within which part all telegraph, telephone or electric light wires, cables and conductors, except such as are hereinafter excepted, shall, during that calendar year, be removed or placed underground; and said officer or officers shall cause the owners or users of such wires, cables and conductors, to remove or place them underground, and also to remove any poles or structures used in the streets to support such wires, cables or conductors, except when, in the judgment of said officer or officers, it is impracticable or inexpedient to remove such wires, cables, poles, conductors or structures; it being the purpose and intent of this act ultimately to cause the removal from public streets, avenues and highways in said district of all telegraph, telephone or electric light wires, cables and conductors, except such as are hereinafter excepted.

Not to place
certain structures
in pre-
scribed district,
except, etc.

SECTION 3. After a part of said district has been prescribed as aforesaid no person, firm or corporation shall place any poles or other structures for the support of telegraph, telephone or electric light wires, cables or conductors, except those herein specially excepted, in any street thereof, except temporarily, with the consent of said officer or officers, in the case of an emergency; and if after the expiration of that calendar year there shall remain in any such street any poles, structures, wires, cables or conductors which said officer or officers shall have ordered to be removed or placed underground, the said officers shall cause the same to be removed; and the city may collect from the owners or users, by an action at law, any expense involved in such removal.

Not to apply
to long distance
telephone wires,
etc.

SECTION 4. This act shall not apply to long distance telephone wires, or to posts for the support of lamps exclusively, or to poles used exclusively for local distribution from underground wires, cables or conductors, or to poles and wires used for lighting the public streets and public buildings of the city of Springfield under existing

contracts with said city, during the continuance of said contracts; nor shall it revoke any rights already granted to any person, firm or corporation to place or maintain any conduits, pipes, wires, cables or conductors underground; but any such conduits, pipes, wires, cables or conductors laid hereafter in pursuance of any such grant shall be laid subject to the provisions of this act, so far as they are not inconsistent with the terms of such grant. For the purposes of this act no wire shall be deemed a long distance telephone wire which is not connected with some central telephone office in the city, and which does not extend twenty-five miles at least in a direct line from the central office.

Not to revoke certain rights granted, etc.

SECTION 5. The mayor and aldermen of the city shall constitute a board of appeal, to which petitions in writing may be presented by any person, firm or corporation aggrieved by any act or decision of said officer or officers, done or made in pursuance of this act. Such petition shall set forth the specific grievance or grievances relied upon, and shall be filed with the mayor of the city within ten days from the act or decision complained of; and said board after notice given as prescribed in section two of this act shall give a hearing thereon, and may either approve, annul or overrule such act or decision.

Board of appeal.

SECTION 6. The supreme judicial or superior court, or any justice thereof, shall, on petition of said officer or officers, have jurisdiction in equity to enforce the provisions of this act or any order of said officer or officers issued thereunder, and to compel compliance therewith.

Enforcement of provisions, etc.

SECTION 7. This act shall take effect upon its passage.

Approved May 2, 1900.

AN ACT TO AUTHORIZE THE FRAMINGHAM WATER COMPANY TO
SUPPLY WATER TO THE REFORMATORY PRISON FOR WOMEN.

Chap. 277

Be it enacted, etc., as follows:

SECTION 1. The Framingham Water Company is hereby authorized to furnish water to the reformatory prison for women, situated in the town of Sherborn, upon such terms as may be agreed upon between the said company and the superintendent of said prison, subject to the approval of the commissioners of prisons.

Water supply for reformatory prison for women.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1900.

Chap. 278 AN ACT TO AMEND THE CHARTER OF THE CITY OF MALDEN.*Be it enacted, etc., as follows:*1881, 189, § 4,
amended.Municipal
election and
municipal year.1881, 189, § 9,
amended.Election of
mayor, alder-
men, etc.Certificates
of election of
members of
the common
council.Person chosen
mayor to be
notified, etc.By whom duties
may be per-
formed in case
of disability
of mayor.

SECTION 1. Section four of chapter one hundred and sixty-nine of the acts of the year eighteen hundred and eighty-one is hereby amended by striking out the word "first", in the second line, and inserting in place thereof the word: — second, — so as to read as follows: — *Section 4.* The election of city and ward officers shall take place on the second Tuesday of December annually; and the municipal year shall begin on the first Monday of January following.

SECTION 2. Section nine of said chapter is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 9.* On the second Tuesday of December annually the qualified voters in the several wards shall give in their votes by ballot for mayor, aldermen, common councilmen and school committee, in accordance with the provisions of this act. All the votes so given shall be assorted, counted, declared and recorded in open ward meeting, by causing the names of the persons voted for and the number of votes given for each to be written in the ward record at length. The clerk of the ward, within twenty-four hours thereafter, shall deliver to the persons chosen members of the common council certificates of their election respectively, signed by the warden and the clerk and a majority of the inspectors of elections, and shall deliver to the city clerk a copy of the record of such elections, certified in like manner. The board of aldermen shall, within ten days thereafter, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been chosen mayor to be notified in writing of his election; but if it shall appear that no person has been chosen, or if the person chosen shall refuse to accept the office, the board shall issue warrants for a new election, and the same proceedings shall be had in all respects as are hereinbefore provided for the choice of mayor, and from time to time shall be repeated until a mayor shall be chosen and shall accept said office. Whenever by reason of sickness or other cause the mayor shall be disabled from performing the duties of his office, or whenever he shall be absent temporarily from the city, the

chairman of the board of aldermen, or, in the event of his disability or absence, the president of the common council, shall become acting mayor during the period that the mayor is disabled or absent. The acting mayor shall during the continuance of such disability have all the rights and powers of mayor, except that he shall not when so acting make any permanent appointment, unless such disability of the mayor has continued for a period of thirty days, nor shall he approve or disapprove any ordinance, order, resolution or vote, until within twenty-four hours of the time when it would take effect without the approval of the mayor. In case such disability of the mayor continues for a period exceeding sixty days the city council, by concurrent vote, may at any time after the expiration of that period declare a vacancy to exist in the office of mayor, and on the death or resignation of the mayor it shall be the duty of the city council to declare such vacancy immediately. Whenever it appears that there is a vacancy in the office of mayor the board of aldermen shall issue warrants for a new election as above provided. Whenever there is a vacancy in the office of mayor pending the election and installation of a new mayor, as provided in this section, the chairman of the board of aldermen, or, in the event of his disability or absence, the president of the common council, as above provided, shall act as mayor, and possess the same rights and powers as mayor during such vacancy as are above provided for in the case of acting mayor. Each alderman shall be notified in writing of his election by the mayor and aldermen for the time being. The oath prescribed by this act shall be administered to the mayor by the city clerk, or by any justice of the peace. The aldermen and common councilmen elect shall on the first Monday of January, at eight o'clock in the evening, meet in convention, when the oath required by this act shall be administered to the members of the two boards present, by the mayor, or by any justice of the peace; and a certificate of such oath having been taken shall be entered upon the journals of the mayor and aldermen and of the common council, by their respective clerks. After the oath of office has been administered as aforesaid the two boards shall separate; the board of aldermen shall be organized by the selection of a chairman, who shall, in the absence of the mayor, preside over that board and at the joint meetings of the

Vacancy in
office of mayor.

Aldermen to
be notified of
election.
Oath of office
of mayor,
aldermen, etc.

Organization
of board of
aldermen and
common
council, etc.

two boards; and the common council shall be organized by the choice of a president and clerk, to hold their offices respectively during the pleasure of the common council, the clerk of the common council to be sworn to the faithful performance of the duties of his said office. In case of the absence of the mayor elect on the first Monday of January, or if the mayor shall not then have been chosen, the city council shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present; and the oath of office may at any time thereafter, in convention of the two boards, be administered to the mayor and any member of the city council who may have been absent at the organization. Each board shall keep a record of its own proceedings, and judge of the election of its own members; and in case of failure of election, or in case of vacancy declared by either board, the mayor and aldermen shall issue their warrant for a new election.

Each board to keep a record of its proceedings, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1900.

Chap. 279 AN ACT TO PROVIDE FOR THE REIMBURSEMENT OF PROBATION OFFICERS FOR EXPENSES INCURRED BY THEM IN THE PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

1894, 229, § 1, amended.

SECTION 1. Section one of chapter two hundred and twenty-nine of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out in the seventh line, the word "one", and inserting in place thereof the word:—two,—so as to read as follows:—
Section 1. Actual disbursements for necessary expenses made by probation officers while in the performance of their duties shall be reimbursed to them out of the treasuries of the counties in which they serve, after approval by the court or justice by whom they are appointed, provided that no officer shall be allowed for such disbursements a greater sum than two hundred dollars in any one year.

Probation officers to be reimbursed for expenses incurred, etc.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1900.

AN ACT RELATIVE TO FOREIGN CORPORATIONS HAVING A USUAL *Chap. 280*
PLACE OF BUSINESS IN THIS COMMONWEALTH.

Be it enacted, etc., as follows:

Section three of chapter three hundred and thirty of the acts of the year eighteen hundred and eighty-four, as amended by chapter one hundred and fifty-seven of the acts of the year eighteen hundred and ninety-five, is hereby amended by adding after the word "incorporation", in the fourth line, the words:—certified to by the secretary of state or other officer having charge of the original record in the state or country where such corporation is incorporated, under the seal of said state or country,—so as to read as follows:—*Section 3.* Every such company before transacting business in this Commonwealth shall file with said commissioner a copy of its charter or certificate of incorporation, certified to by the secretary of state or other officer having charge of the original record in the state or country where such corporation is incorporated, under the seal of said state or country, and a statement of the amount of its capital stock, and the amount paid in thereon to its treasurer, and if any part of such payment has been made otherwise than in money the statement shall set forth the particulars thereof, and said statement shall be subscribed and sworn to by its president, treasurer and by a majority of its directors or officers having the powers usually exercised by directors. All such companies now doing business in this Commonwealth shall file such copy and such statement on or before the first day of October next, provided such business is thereafter continued. Every officer of a corporation which fails to comply with the requirements of this act, and every agent of such corporation who transacts business as such in this Commonwealth shall for such failure be liable to a fine not exceeding five hundred dollars; but such failure shall not affect the validity of any contract by or with such corporation. Every such company shall pay into the treasury ten dollars for filing the copy of its charter, and five dollars for filing the statement required by this section. The provisions of the Public Statutes in so far as they impose penalties and liabilities, and the enforcement of the same, upon officers and stockholders of domestic corporations for false and fraudulent

1884, 330, § 3,
etc., amended.

Every foreign
corporation to
file with com-
missioner a
copy of its
charter, etc.

Penalty, etc.

Certain provi-
sions of law to
apply.

statements and returns, shall apply to the officers and stockholders of foreign corporations doing business in this Commonwealth and subject to the provisions of this act.

Approved May 2, 1900.

Chap.281 AN ACT RELATIVE TO THE OFFICE HOURS OF CLERKS OF POLICE, DISTRICT AND MUNICIPAL COURTS.

Be it enacted, etc., as follows :

Office hours of clerks of police, district, etc., courts to be fixed.

SECTION 1. The justices of each of the police, district and municipal courts throughout the Commonwealth shall fix reasonable daily office hours for the clerks of their respective courts during which the offices of the clerks shall be required to be open, such hours to be fixed with regard to the business done in said courts and to the convenience of the public and of attorneys. The office hours so fixed shall be posted in a conspicuous place in each of said offices and shall be set forth in the printed rules of the said courts.

When to take effect.

SECTION 2. This act shall take effect on the first day of May in the year nineteen hundred.

Approved May 2, 1900.

Chap.282 AN ACT TO PROHIBIT CORPORATIONS FROM REQUIRING BONDS OF THEIR EMPLOYEES IN CERTAIN CASES.

Be it enacted, etc., as follows :

Certain corporations not to require bonds of employees in certain cases.

SECTION 1. No corporation engaged in carrying passengers or in transporting freight for hire shall require or receive from any person employed or about to be employed by it any bond or other security, either with or without surety or sureties, for the purpose of indemnifying such corporation against loss or damage to persons or property resulting from any act or neglect of any employee or person about to become an employee of such corporation ; but this act shall not apply to bonds for the proper accounting of money or other property belonging to any such corporation.

Penalty.

SECTION 2. Any violation of the provisions of this act by any such corporation or by any person in its behalf shall be punished by a fine not exceeding fifty dollars for the first offence, and not exceeding one hundred dollars for a second offence.

Approved May 2, 1900.

AN ACT TO AUTHORIZE THE NORTON AND TAUNTON STREET RAILWAY COMPANY TO CARRY THE UNITED STATES MAIL, AND TO ACT AS A COMMON CARRIER OF BAGGAGE AND SMALL PARCELS OF MERCHANDISE. Chap. 283

Be it enacted, etc., as follows :

SECTION 1. The Norton and Taunton Street Railway Company may act as a common carrier of baggage, small parcels of merchandise and the United States mail: *provided, however*, that said company shall not so act in any town or city until authorized to do so by the selectmen of the town and the board of aldermen of the city in which said road may operate; and *provided, further*, that said company shall in carrying baggage and small parcels be subject to such by-laws and regulations as may from time to time be made by such cities and towns; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and of all other laws relating to common carriers.

May act as a common carrier of merchandise, etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1900.

AN ACT TO REGULATE FISHING IN BROOKS STOCKED BY THE COMMISSIONERS ON INLAND FISHERIES AND GAME. Chap. 284

Be it enacted, etc., as follows :

SECTION 1. The commissioners on inland fisheries and game, upon petition of thirty or more inhabitants of a city or town, including the owners of the land within which a brook or part thereof is situated, or upon petition of the mayor and aldermen of a city or the selectmen of a town, including such owner or owners, may cause such brook to be stocked with such food fish as they deem best suited to the waters of the brook.

Certain brooks may be stocked with food fish, etc.

SECTION 2. Said commissioners shall thereupon prescribe, for a period not exceeding three years, such reasonable regulations as to fishing in such brook or brooks, with such penalties, not exceeding twenty dollars for any one violation of such regulations, as they may deem for the best interests of the public; and shall cause such regulations to be enforced: *provided*, that said owners shall agree that such brook or part thereof shall be open to the public after the expiration of the three years designated in this section.

Fishing to be regulated.

Proviso.

Appropriation.

SECTION 3. There shall be allowed and paid annually from the treasury of the Commonwealth a sum not exceeding five hundred dollars to carry out the provisions of this act.

SECTION 4. This act shall take effect upon its passage.

Approved May 2, 1900.

Chap. 285

AN ACT TO AUTHORIZE THE LEXINGTON AND BOSTON STREET RAILWAY COMPANY TO OPERATE ITS RAILWAY OVER PRIVATE PROPERTY.

Be it enacted, etc., as follows:

Certain action of the Lexington and Boston Street Railway Company confirmed.

SECTION 1. The action of the Lexington and Boston Street Railway Company in constructing its railway over private property with the consent of the owners of said property and of the boards of selectmen of the towns of Billerica, Bedford and Lexington, and in acquiring lands by purchase or lease for such purpose, is hereby ratified and confirmed; and the company is authorized to maintain and operate its railway upon and over said property.

May build, etc., its railway outside the highways, etc.

SECTION 2. Said railway company may, to avoid curves or grades, build, operate and maintain its railway, with the approval of the board of railroad commissioners, at points outside the highways where authorized by the selectmen of towns or boards of aldermen of cities wherein it is now authorized to construct its road, and may acquire land by purchase or lease for that purpose.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1900.

Chap. 286

AN ACT TO AUTHORIZE THE APPOINTMENT OF AN ELECTRICIAN AND AN ASSISTANT ENGINEER AT THE STATE PRISON.

Be it enacted, etc., as follows:

An electrician and an assistant engineer may be appointed at the state prison. Duties, etc.

SECTION 1. The warden of the state prison may, with the approval of the commissioners of prisons, appoint one electrician and one assistant engineer at said prison.

SECTION 2. The electrician and the assistant engineer shall perform such duties as may be assigned to them by the warden; and they shall be subject to all the obligations and penalties now provided by law in regard to officers of said prison.

Salaries.

SECTION 3. The salaries of the officers appointed under this act shall be fixed by the warden, with the approval of the commissioners of prisons; but the salary of the electrician shall not exceed twelve hundred dollars a year,

and the salary of the assistant engineer shall not exceed one thousand dollars a year.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and one. When to take effect.

Approved May 2, 1900.

AN ACT TO AUTHORIZE THE TOWN OF BELMONT TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR SCHOOL PURPOSES.

Chap.287

Be it enacted, etc., as follows :

SECTION 1. The town of Belmont, for the purpose of purchasing or acquiring land for the location of a new schoolhouse, and for the purpose of erecting and furnishing such schoolhouse and grading the grounds around the same, may incur indebtedness to an amount not exceeding forty thousand dollars, but the land so purchased or acquired shall not exceed in area fifty thousand square feet. May incur indebtedness for school purposes.

SECTION 2. Said town is hereby authorized to issue, for the indebtedness incurred under this act, the negotiable notes of the town, payable in such annual payments as the selectmen and town treasurer may determine, and which shall extinguish said indebtedness in thirty years from the passage of this act. May issue notes, etc.

SECTION 3. The indebtedness incurred under this act shall not be considered or reckoned in determining the authorized limit of indebtedness of said town under the provisions of section four of chapter twenty-nine of the Public Statutes and of acts in amendment thereof. Not to be considered in determining debt limit.

SECTION 4. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and of chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four shall apply to the issue of said notes. P. S. 29, etc., to apply.

SECTION 5. This act shall take effect upon its passage.

Approved May 2, 1900.

AN ACT TO AUTHORIZE THE CITY OF BEVERLY TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR THE PURPOSE OF CONSTRUCTING A SYSTEM OF SEWERAGE.

Chap.288

Be it enacted, etc., as follows :

SECTION 1. The city of Beverly, for the purpose of defraying the expense of constructing and maintaining a system of sewerage and sewage disposal, is hereby author- Beverly Sewerage Loan, Act of 1900.

ized to issue from time to time notes, bonds or scrip beyond the limit of indebtedness fixed by law, to an amount not exceeding one hundred thousand dollars in addition to the amount heretofore authorized by law to be issued by the town of Beverly for the same purpose under the provisions of chapter two hundred and fifty of the acts of the year eighteen hundred and ninety-three. Such notes, bonds or scrip shall be denominated on the face thereof, Beverly Sewerage Loan, Act of 1900, shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the principal shall be payable at periods of not more than thirty years from the date of issuing such bonds, notes or scrip respectively. Said city may sell said bonds, notes or scrip, or any part thereof, at public or private sale: *provided*, that the same shall not be sold for less than the par value thereof.

Sale of bonds,
etc.

Proviso.

Payment of
debt.

May provide
for annual
payments on
loan, etc.

SECTION 2. Said bonds shall be so issued that a proportionate part of the whole amount issued shall become due on the first day of July in the year nineteen hundred and one, and thereafter a like proportionate amount shall become due each succeeding year until the whole debt is extinguished. Said city shall at the time of authorizing said loan provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed in this act; and when such proportionate amount to be paid each year shall be so fixed by vote of the city council the amount required thereby shall, without further vote, be assessed by the assessors of said city in each year thereafter until the debt incurred by the city for sewer purposes shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

Issue of bonds,
etc., to be ap-
proved by
board of alder-
men, etc.

SECTION 3. Whenever the treasurer has occasion to issue bonds for the purpose mentioned in section one he shall state in detail in writing to the board of aldermen the number of bonds and interest warrants he has occasion to issue; and only such number of bonds and interest warrants shall be issued as are approved by the board of aldermen. But no bonds, notes or scrip shall be valid until signed by the mayor and treasurer and countersigned by the auditor.

SECTION 4. This act shall take effect upon its passage.

Approved May 3, 1900,

AN ACT TO AUTHORIZE THE SELECTMEN OF THE TOWN OF STONE-
HAM TO TAKE CERTAIN LAND FOR SCHOOL PURPOSES. *Chap.289*

Be it enacted, etc., as follows :

SECTION 1. The selectmen of the town of Stoneham are hereby authorized to take and use for school purposes the tract of land in said town known as the Williams Street cemetery. May take certain land for school purposes.

SECTION 2. Section four of chapter four hundred and forty-six of the acts of the year eighteen hundred and ninety-nine is hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved May 3, 1900.

AN ACT RELATIVE TO THE SERVICE OF PROCESS IN THE COL-
LECTION OF TAXES. *Chap.290*

Be it enacted, etc., as follows :

SECTION 1. Section two of chapter four hundred and twenty-five of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out in the second line, the words "made within ten days after such service and", so as to read as follows :—*Section 2.* The affidavit of a collector or deputy collector, kept on file in the office of the collector of taxes for the city or town in which the real estate lies, that he has served such notice, summons, demand or other paper as authorized by the preceding section, shall be prima facie evidence that the same was so served. 1899, 425, § 2, amended.
Evidence of service of process in the collection of taxes.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS SCHOOL
FOR THE FEEBLE-MINDED, FOR THE STATE NORMAL SCHOOL AT
WESTFIELD, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY
LAW. *Chap.291*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap-
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified in certain acts and resolves of the present year,
and for certain other expenses authorized by law, to
wit :— Appropriations.

**Berkshire
Agricultural
Society.**

For the Berkshire Agricultural Society, as authorized by chapter twenty-one of the resolves of the present year, the sum of five hundred twenty-nine dollars and twenty-five cents.

**Improvement
of harbor of
Cuttyhunk.**

For a survey and estimate relative to the improvement of the harbor of Cuttyhunk, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding one thousand dollars.

**State normal
school at
Westfield.**

For completing and furnishing the practice school building at the state normal school at Westfield, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding twelve thousand dollars.

**Massachusetts
state sana-
torium.**

For certain repairs and improvements at the Massachusetts state sanatorium, as authorized by chapter thirty-five of the resolves of the present year, a sum not exceeding twenty-three thousand dollars.

**Massachusetts
School for the
Feeble-minded.**

For the Massachusetts School for the Feeble-minded, as authorized by chapter thirty-six of the resolves of the present year, a sum not exceeding fifty thousand dollars.

**New England
Industrial
School for
Deaf Mutes.**

For the New England Industrial School for Deaf Mutes, as authorized by chapter thirty-seven of the resolves of the present year, the sum of two thousand dollars.

**State normal
school at
North Adams.**

For additional furnishings and repairs for the state normal school at North Adams, as authorized by chapter thirty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars.

**John W.
Weeks.**

For reimbursing John W. Weeks for money expended in the maintenance of the state cruiser Inca, as authorized by chapter forty of the resolves of the present year, a sum not exceeding thirteen hundred and fifty dollars.

**Improvement
of entrance to
Waquoit bay.**

For a survey and estimate relative to the improvement of the entrance to Waquoit bay in the town of Falmouth, as authorized by chapter forty-two of the resolves of the present year, a sum not exceeding one thousand dollars.

**S. Lothrop
Thorndike.**

For S. Lothrop Thorndike, executor, as authorized by chapter forty-three of the resolves of the present year, the sum of two thousand thirty dollars and sixty-two cents.

**Statue of
Major General
Nathaniel
Prentiss Banks.**

For the erection of a statue of Major General Nathaniel Prentiss Banks, in the state house, or on the grounds of the state house, as provided for by chapter seventy-nine of the resolves of the year eighteen hundred and ninety-seven, a sum not exceeding twenty thousand dollars, being a reappropriation, the same having reverted to the

treasury in accordance with section thirty of chapter sixteen of the Public Statutes.

For expenses in connection with the collection of portraits of presidents of the senate, as authorized by chapter eighty-four of the resolves of the year eighteen hundred and ninety-eight, the sum of one hundred ninety-five dollars and seventeen cents, being the unexpended balance of the sum of five hundred dollars originally appropriated to carry out the provisions of said resolve, the same having reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.

Collection of portraits of presidents of the senate.

For expenses of enforcing the law to regulate the practice of pharmacy, a sum not exceeding one thousand dollars, the same to be in addition to the fifty-five hundred dollars appropriated by chapter forty-four of the acts of the present year.

Enforcing law to regulate practice of pharmacy.

For school registers and other school blanks for the cities and towns of the Commonwealth, a sum not exceeding two hundred dollars, as authorized by chapter one hundred and eighty-seven of the acts of the present year, the same to be in addition to the one thousand dollars appropriated by chapter eighty-seven of the acts of the present year.

School blanks.

For William Wilmot, the sum of three hundred dollars, as authorized by chapter forty-four of the resolves of the present year.

William Wilmot.

For Thomas Freer, the sum of forty dollars, as authorized by chapter forty-five of the resolves of the present year.

Thomas Freer.

To provide for additional rooms in the sub-basement of the state house for the use of the detective department of the district police, a sum not exceeding thirty-six hundred dollars, as authorized by chapter forty-six of the resolves of the present year.

Additional rooms for district police.

For maintenance of and necessary repairs to the apparatus for the practical examination of engineers and firemen, a sum not exceeding five hundred dollars, as authorized by chapter forty-eight of the resolves of the present year.

Apparatus for examination of engineers, etc.

For George F. Whiting and Frederick L. Churchill, composing the firm of G. F. Whiting and Company, the sum of one hundred and fifty dollars, as authorized by chapter forty-nine of the resolves of the present year.

G. F. Whiting and Company.

For the Massachusetts Agricultural College, the sum of eight thousand dollars, as authorized by chapter fifty of the resolves of the present year.

Massachusetts Agricultural College.

**Berkshire
Agricultural
Society.**

For the Berkshire Agricultural Society, as authorized by chapter twenty-one of the resolves of the present year, the sum of five hundred twenty-nine dollars and twenty-five cents.

**Improvement
of harbor of
Cuttyhunk.**

For a survey and estimate relative to the improvement of the harbor of Cuttyhunk, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding one thousand dollars.

**State normal
school at
Westfield.**

For completing and furnishing the practice school building at the state normal school at Westfield, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding twelve thousand dollars.

**Massachusetts
state sana-
torium.**

For certain repairs and improvements at the Massachusetts state sanatorium, as authorized by chapter thirty-five of the resolves of the present year, a sum not exceeding twenty-three thousand dollars.

**Massachusetts
School for the
Feeble-minded.**

For the Massachusetts School for the Feeble-minded, as authorized by chapter thirty-six of the resolves of the present year, a sum not exceeding fifty thousand dollars.

**New England
Industrial
School for
Deaf Mutes.**

For the New England Industrial School for Deaf Mutes, as authorized by chapter thirty-seven of the resolves of the present year, the sum of two thousand dollars.

**State normal
school at
North Adams.**

For additional furnishings and repairs for the state normal school at North Adams, as authorized by chapter thirty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars.

**John W.
Weeks.**

For reimbursing John W. Weeks for money expended in the maintenance of the state cruiser Inca, as authorized by chapter forty of the resolves of the present year, a sum not exceeding thirteen hundred and fifty dollars.

**Improvement
of entrance to
Waquoit bay.**

For a survey and estimate relative to the improvement of the entrance to Waquoit bay in the town of Falmouth, as authorized by chapter forty-two of the resolves of the present year, a sum not exceeding one thousand dollars.

**S. Lothrop
Thorndike.**

For S. Lothrop Thorndike, executor, as authorized by chapter forty-three of the resolves of the present year, the sum of two thousand thirty dollars and sixty-two cents.

**Statue of
Major General
Nathaniel
Prentiss Banks.**

For the erection of a statue of Major General Nathaniel Prentiss Banks, in the state house, or on the grounds of the state house, as provided for by chapter seventy-nine of the resolves of the year eighteen hundred and ninety-seven, a sum not exceeding twenty thousand dollars, being a reappropriation, the same having reverted to the

treasury in accordance with section thirty of chapter sixteen of the Public Statutes.

For expenses in connection with the collection of portraits of presidents of the senate, as authorized by chapter eighty-four of the resolves of the year eighteen hundred and ninety-eight, the sum of one hundred ninety-five dollars and seventeen cents, being the unexpended balance of the sum of five hundred dollars originally appropriated to carry out the provisions of said resolve, the same having reverted to the treasury in accordance with section thirty of chapter sixteen of the Public Statutes.

Collection of portraits of presidents of the senate.

For expenses of enforcing the law to regulate the practice of pharmacy, a sum not exceeding one thousand dollars, the same to be in addition to the fifty-five hundred dollars appropriated by chapter forty-four of the acts of the present year.

Enforcing law to regulate practice of pharmacy.

For school registers and other school blanks for the cities and towns of the Commonwealth, a sum not exceeding two hundred dollars, as authorized by chapter one hundred and eighty-seven of the acts of the present year, the same to be in addition to the one thousand dollars appropriated by chapter eighty-seven of the acts of the present year.

School blanks.

For William Wilmot, the sum of three hundred dollars, as authorized by chapter forty-four of the resolves of the present year.

William Wilmot.

For Thomas Freer, the sum of forty dollars, as authorized by chapter forty-five of the resolves of the present year.

Thomas Freer.

To provide for additional rooms in the sub-basement of the state house for the use of the detective department of the district police, a sum not exceeding thirty-six hundred dollars, as authorized by chapter forty-six of the resolves of the present year.

Additional rooms for district police.

For maintenance of and necessary repairs to the apparatus for the practical examination of engineers and firemen, a sum not exceeding five hundred dollars, as authorized by chapter forty-eight of the resolves of the present year.

Apparatus for examination of engineers, etc.

For George F. Whiting and Frederick L. Churchill, composing the firm of G. F. Whiting and Company, the sum of one hundred and fifty dollars, as authorized by chapter forty-nine of the resolves of the present year.

G. F. Whiting and Company.

For the Massachusetts Agricultural College, the sum of eight thousand dollars, as authorized by chapter fifty of the resolves of the present year.

Massachusetts Agricultural College.

Collection, etc., of information relative to partly abandoned farms, etc.

For expenses in collecting and distributing information relative to partly abandoned farms and unremunerative lands, a sum not exceeding one thousand dollars, as authorized by chapter fifty-one of the resolves of the present year.

First clerk in office of auditor.

For the salary of the first clerk in the office of the auditor of accounts, the sum of three hundred dollars, as authorized by chapter two hundred and seventeen of the acts of the present year, the same to be in addition to any amount heretofore appropriated for the same purpose.

Second clerk in office of auditor.

For the salary of the second clerk in the office of the auditor of accounts, the sum of two hundred dollars, as authorized by chapter two hundred and seventeen of the acts of the present year, the same to be in addition to any amount heretofore appropriated for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1900.

Chap. 292 AN ACT TO AUTHORIZE THE MILFORD, ATTLEBOROUGH AND WOON-SOCKET STREET RAILWAY COMPANY TO INCREASE ITS CAPITAL STOCK, TO ISSUE BONDS, AND TO EXTEND ITS RAILWAY.

Be it enacted, etc., as follows:

May increase capital stock, issue bonds, etc.

SECTION 1. The Milford, Attleborough and Woonsocket Street Railway Company is hereby authorized to increase its capital stock to an amount which, together with the amount heretofore authorized, shall not exceed three hundred thousand dollars, and to issue bonds to an amount not exceeding the capital stock issued, for the purpose of extending its tracks upon such locations as may be granted to it under the provisions of law, and for purchasing equipment, for constructing power stations, and for acquiring real estate and other property to be used in connection with the construction and operation of its railway.

May extend, etc., its railway in certain towns.

SECTION 2. Said company may extend, locate, construct, maintain and operate its railway, with a single or double track, in such manner as may be convenient and necessary, in the towns of Mendon and Hopedale, in part upon private land acquired by purchase or lease, and upon streets, highways or state roads in said towns, subject to the approval and control of the selectmen of said towns, and subject also to the approval of the Massachusetts highway commission as to any part of said railway located upon a state road. The location of said railroad on private

Location.

land shall not exceed fifty feet in width, with convenient turn-outs and switches.

SECTION 3. Said company, for the purpose of avoiding curves or grades, may, with the approval of the board of railroad commissioners, build, maintain and operate its railway on private land acquired by purchase or lease for said purpose, provided also that it is authorized so to do by the selectmen of towns wherein it is authorized to construct its railway.

May build, etc., its railway on private land, etc.

SECTION 4. No stock or bonds shall be issued under this act until such issue has been approved by the board of railroad commissioners; and a certificate setting forth such approval shall be executed by the board and filed in the office of the secretary of the Commonwealth.

Issue of stock or bonds to be approved by railroad commissioners, etc.

Approved May 4, 1900.

AN ACT TO INCORPORATE THE FIELD MEMORIAL LIBRARY.

Chap. 293

Be it enacted, etc., as follows:

SECTION 1. William G. Avery, Eugene F. Hunt, Samuel H. Clary, Henry W. Billings and Arthur P. Delabarre, and their successors, are hereby made a corporation by the name of the Field Memorial Library, for the formation and maintenance of a free public library, with or without a reading room, in the town of Conway; with all the powers and privileges and subject to all the duties and liabilities set forth in all general laws now or hereafter in force relating to such corporations.

Field Memorial Library incorporated.

SECTION 2. Said corporation may hold real and personal estate to the amount of two hundred thousand dollars, for the purposes aforesaid, in addition to books and objects of curiosity and art.

May hold real and personal estate.

SECTION 3. The corporation shall consist of five members, all of whom shall be citizens of the town of Conway. Whenever a vacancy occurs in the number of corporators by death, resignation or removal from the town, the remaining members shall elect some person as a candidate to fill such vacancy. If such election is approved by the judge of the probate court for the county of Franklin such person shall thereupon become a member of said corporation. In case the remaining members shall fail to elect a person to fill the office within six months from the time when it becomes vacant, it shall be competent for the judge of probate aforesaid, upon the application of any member of said corporation or of any inhabitant of the

Membership.

town of Conway, to fill such vacancy; and the majority of the corporators may at any time, with the approval of the judge of probate aforesaid, remove any one of the corporators, and the vacancy thus occasioned shall be filled as in other cases.

Grants, be-
quests, etc.

Proviso.

By-laws and
regulations.

SECTION 4. Said corporation may receive and hold, for the purposes aforesaid, any grants, gifts or bequests, in trust or otherwise, from Marshall Field, or from any other person or persons, under such rules and provisions as may be prescribed in such grants, gifts and bequests: *provided*, that the same are not inconsistent with the provisions of law or with anything contained in this act.

SECTION 5. Said corporation may make such by-laws and regulations for the management of the property and for the use of the library and anything connected therewith as they may deem best for carrying out the purposes of the library.

SECTION 6. This act shall take effect upon its passage.

Approved May 4, 1900.

Chap.294

AN ACT RELATIVE TO REGISTRATION IN DENTISTRY.

Be it enacted, etc., as follows:

1887, 187, § 4,
etc., amended.

SECTION 1. Section four of chapter one hundred and thirty-seven of the acts of the year eighteen hundred and eighty-seven, as amended by section one of chapter one hundred and eighty-seven of the acts of the year eighteen hundred and ninety-seven, is hereby amended by adding at the end thereof the words: — Every practising dentist shall keep his certificate of license, or in case it be lost a duplicate thereof, posted in some conspicuous place and manner so that it shall be in plain view of his patients, and every person, firm or corporation owning or carrying on a dental business in any office, or other room or rooms, shall have his or its full name exhibited in plain readable letters in such office, or other room or rooms, — so as to

Certificate to be
issued after a
satisfactory ex-
amination.

read as follows: — *Section 4.* All persons who shall have attained the age of twenty-one years, not provided for in section three, may appear before said board at any of its regular meetings and be examined with reference to their knowledge and skill in dentistry and dental surgery; and if the examination of any such person or persons shall prove satisfactory to said board, the board shall issue to such persons as it finds to possess the requisite qualifica-

tions, a certificate to that effect, in accordance with the provisions of this act. All certificates issued by said board shall be signed by its officers; and such certificates shall be prima facie evidence of the right of the holder to practise dentistry in Massachusetts. Every practising dentist shall keep his certificate of license, or in case it be lost a duplicate thereof, posted in some conspicuous place and manner so that it shall be in plain view of his patients, and every person, firm or corporation owning or carrying on a dental business in any office, or other room or rooms, shall have his or its full name exhibited in plain readable letters in such office, or other room or rooms.

Certificate to be posted in some conspicuous place, etc.

SECTION 2. Section eight of said chapter one hundred and thirty-seven is hereby amended by adding at the end thereof the words: — Any person shall be deemed to be practising dentistry within the meaning of this act who performs any operation on, or makes examination of, with the purpose of performing or causing to be performed any operation on, the human teeth or jaws: *provided*, that the provisions of this act shall not be construed to prevent a licensed dentist of another state from operating at a public clinic under the auspices of any duly organized and reputable dental association, nor to prevent a student of a reputable chartered dental college from performing operations in the college infirmary, as a part of the regular college course, and while in the presence of and under the actual instruction of a registered dentist duly appointed to give instruction, — so as to read as follows: — *Section 8.* Any person who shall falsely claim or pretend to have or hold a certificate of license granted by any board organized under and pursuant to the provisions of this act, or who shall falsely and with intent to deceive the public, claim or pretend to be a graduate from any incorporated dental college, or who shall practise dentistry without obtaining a certificate as provided in this act, shall be deemed guilty of a misdemeanor, and shall be liable to the same penalty as provided in section five. Any person shall be deemed to be practising dentistry within the meaning of this act who performs any operation on, or makes examination of, with the purpose of performing or causing to be performed any operation on, the human teeth or jaws: *provided*, that the provisions of this act shall not be construed to prevent a licensed dentist of another state from operating at a public clinic under the auspices of any duly

1887, 187, § 8, amended.

Penalty for falsely claiming to hold a certificate, etc.

Who shall be deemed to be practising dentistry.

Proviso.

organized and reputable dental association, nor to prevent a student of a reputable chartered dental college from performing operations in the college infirmary, as a part of the regular college course, and while in the presence of and under the actual instruction of a registered dentist duly appointed to give instruction.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1900.

Chap.295 AN ACT TO ESTABLISH THE SALARY OF THE SHERIFF OF THE COUNTY OF NORFOLK.

Be it enacted, etc., as follows :

Sheriff of Norfolk county.

The salary of the sheriff of the county of Norfolk shall be eighteen hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

Approved May 4, 1900.

Chap.296 AN ACT RELATIVE TO MALDEN BRIDGE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Construction, etc., of certain highway in Boston.

SECTION 1. The board of street commissioners of the city of Boston may lay out, widen and order the construction of so much of the causeway and other parts of the highway between Malden bridge and the boundary line between said city and the city of Everett, and to such a width as the board may determine. Such laying out and construction shall be done under the provisions of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof, and of the other acts relating to the laying out and construction of highways in the city of Boston; but the expenses incurred therefor shall be paid from the loan of two hundred thousand dollars authorized by chapter two hundred and eighty of the acts of the year eighteen hundred and ninety-nine for widening and rebuilding Malden bridge, and no assessment shall be made for such laying out and construction.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1900.

AN ACT TO PROVIDE FOR OBTAINING A PORTRAIT OF THE PRESENT GOVERNOR OF THE COMMONWEALTH, PORTRAITS OF TWO OF THE COLONIAL GOVERNORS, AND PORTRAITS OF FUTURE GOVERNORS.

Chap. 297

Be it enacted, etc., as follows:

SECTION 1. For the purpose of procuring for the Commonwealth a portrait of its present governor, the governor is hereby authorized to expend, with the approval of the council, a sum not exceeding one thousand dollars; and for the purpose of procuring portraits of future governors of the Commonwealth there shall hereafter be expended by the governor, with the approval of the council, a sum not exceeding one thousand dollars for each such portrait.

Portraits of the present and future governors.

SECTION 2. For the purpose of procuring portraits of Thomas Hutchinson and Joseph Dudley, colonial governors, the governor, with the approval of the council, is hereby authorized to expend a sum not exceeding five hundred dollars for each portrait, to be paid from the appropriation authorized by chapter eighty-nine of the resolves of the year eighteen hundred and ninety-nine.

Portraits of certain colonial governors.

SECTION 3. The portraits so procured shall be hung in the state house in some suitable place to be selected by the state house commission.

Portraits to be hung in state house.

SECTION 4. This act shall take effect upon its passage.

Approved May 4, 1900.

AN ACT RELATIVE TO PASSENGER FARES ON CERTAIN MORNING AND EVENING TRAINS ON RAILROADS ENTERING THE CITY OF BOSTON.

Chap. 298

Be it enacted, etc., as follows:

SECTION 1. Upon the filing with the board of railroad commissioners of a petition for workingmen's trains to be run by any specified railroad company whose line terminates in the city of Boston such trains shall be furnished by the company in such number, not less than two each way, as the said board may order. Such trains shall arrive at Boston between six and half past seven in the morning and between six and half past seven in the evening, every week day, and shall depart between the same hours. For such trains the company, for distances not exceeding fifteen miles, shall furnish season tickets at a rate not exceeding three dollars per mile per year, and quarterly and weekly tickets at a rate not exceeding one dollar per mile per quarter. All such tickets shall be good once a day,

Workingmen's trains on railroads entering Boston.

each way, for six days in the week. For such trains the company may provide special cars.

When to take effect.

SECTION 2. This act shall take effect on the first day of July in the year nineteen hundred.

Approved May 4, 1900.

Chap.299 AN ACT RELATIVE TO THE JURISDICTION OF THE SUPERIOR COURT TO ASSESS DAMAGES FOR THE TAKING OF PROPERTY BY RIGHT OF EMINENT DOMAIN.

Be it enacted, etc., as follows:

Assessment of damages for taking of property by right of eminent domain.

SECTION 1. No petition now or hereafter pending in the superior court for the assessment by a jury of damages sustained by any person by reason of any taking of property in the exercise of the right of eminent domain shall be dismissed for want of jurisdiction in said court solely on the ground that no previous application for the assessment of such damages had been made to a board of county commissioners, or that no award thereof had previously been made by a board of county commissioners. The superior court shall have jurisdiction to hear and determine all such petitions now or hereafter filed or pending therein, notwithstanding the lack of such previous application to or award by a board of county commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1900.

Chap.300 AN ACT RELATIVE TO THE ADULTERATION OF MILK.

Be it enacted, etc., as follows:

P. S. 57, § 5, etc., amended.

SECTION 1. Section five of chapter fifty-seven of the Public Statutes, as amended by section two of chapter three hundred and eighteen of the acts of the year eighteen hundred and eighty-six, is hereby further amended by striking out the whole of said section and inserting in place thereof the following: — *Section 5.* Whoever by himself or by his servant or agent, or as the servant or agent of another person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale or exchange, adulterated milk, or milk to which water or any foreign substance has been added, or milk produced from cows fed on the refuse of distilleries, or from sick or diseased cows, or, as pure milk, milk from which the cream or any part thereof has been removed, shall for a first offence be punished by fine of not less than fifty nor more than two

Penalty for selling adulterated milk, etc.

hundred dollars; for a second offence by fine of not less than one hundred nor more than three hundred dollars; and for a subsequent offence by fine of fifty dollars and by imprisonment in the house of correction for not less than sixty nor more than ninety days.

SECTION 2. Section six of chapter fifty-seven of the Public Statutes is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 6.* Whoever by himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell or exchange milk not of good standard quality, shall for a first offence be punished by fine not exceeding fifty dollars; for a second offence by fine of not less than one hundred dollars nor more than two hundred dollars; and for a subsequent offence by fine of fifty dollars and by imprisonment in the house of correction for not less than sixty nor more than ninety days.

P. S. 57, § 6,
amended.

Penalty for sell-
ing, etc., milk
not of good
standard
quality.

Approved May 8, 1900.

AN ACT TO REVIVE AND EXTEND THE CHARTER OF THE BARNSTABLE COUNTY STREET RAILWAY COMPANY.

Chap. 301

Be it enacted, etc., as follows:

SECTION 1. So much of chapter four hundred and sixty-eight of the acts of the year eighteen hundred and ninety-six as became void on the first day of October in the year eighteen hundred and ninety-nine by force of the provisions of section eight thereof, as amended by chapter two hundred and twenty of the acts of the year eighteen hundred and ninety-eight, is hereby revived; but the provisions of this act shall become void, so far as relates to the rights of the Barnstable County Street Railway Company, if it shall not have constructed and put in operation at least five miles of its railway prior to the first day of October in the year nineteen hundred.

Charter of
Barnstable
County Street
Railway Com-
pany revived,
etc.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1900.

AN ACT RELATIVE TO THE TAKING OF SCALLOPS IN THE WATERS OF THE TOWN OF MATTAPOISETT.

Chap. 302

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Mattapoisett may grant permits in writing to take scallops from waters within the limits of the town, in such quantities, at such

Taking of
scallops in the
waters of the
town of Matta-
poisett regu-
lated.

time or times within one year, by such methods, and under such regulations, as may be expressed in their permit, and they may charge and receive therefor, in behalf of and for the use of the town, such sums as they may deem proper. But every inhabitant of the state may without such permit take scallops from the waters of the town for the use of his family from the first day of October to the first day of April, in quantity not exceeding in any week three bushels, including the shells.

Not to be taken
without permit
in certain cases.

SECTION 2. No person shall take any scallops from the waters of said town without a written permit from the selectmen thereof, except as provided in the preceding section.

Penalty.

SECTION 3. Whoever violates any provision of this act shall be punished by a fine of not less than twenty nor more than one hundred dollars, or by imprisonment in the house of correction for not less than thirty days nor more than six months, or by both such fine and imprisonment. One half of the fine shall be paid to the complainant and the other half to the county within which the offence was committed.

Certain provi-
sions of law,
etc., not
affected.

SECTION 4. Nothing in this act shall be construed to affect any act relating to oyster fishery, or to impair the private rights of any person, or in any way to limit or affect the provisions of law for the protection of fisheries other than scallop fisheries, or to permit the taking of scallops upon any oyster grounds or beds other than public grounds or beds.

Certain rights
of inhabitants
of Marion and
Rochester not
affected.

SECTION 5. Nothing in this act shall be construed to require an inhabitant of Marion or of Rochester to obtain a permit from the selectmen of the town of Mattapoisett for the taking of shellfish or scale fish on the shores or flats, or in the waters within the town of Mattapoisett; and inhabitants of Marion or Rochester may take shellfish or scale fish on said shores and flats, and in said waters, by obtaining a permit from the selectmen of their respective towns, and by paying therefor to their respective towns the same price which is paid by the inhabitants of the town of Mattapoisett to the selectmen of that town for similar permits.

Jurisdiction of
offences.

SECTION 6. District courts and trial justices shall have concurrent jurisdiction with the superior court of all offences under this act.

Approved May 8, 1900.

AN ACT TO INCORPORATE THE LOWELL, ACTON AND MAYNARD STREET RAILWAY COMPANY. *Chap. 303*

Be it enacted, etc., as follows :

SECTION 1. Charles B. Stone, Oliver W. Mead, George C. Wright, Paul F. Litchfield, Julius Loewe, Orrin S. Fowler, Cyrus G. Dole, Erving V. Swetzer and Walter S. Watson, their associates and successors, are hereby made a corporation under the name of the Lowell, Acton and Maynard Street Railway Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to street railway companies.

Lowell, Acton and Maynard Street Railway Company incorporated.

SECTION 2. Said company may locate, construct, maintain and operate its railway, with a single or double track, in such manner as may be convenient, in part upon private land acquired by purchase or lease, and upon streets, highways or state roads in the towns of Maynard, Acton, Westford, Carlisle and Chelmsford, subject to the approval and control of the selectmen of said towns, respectively, as provided by general laws, and subject also to the approval of the Massachusetts highway commission as to any part of said railway located upon a state highway. The location of said railway outside the public streets and highways shall not exceed fifty feet in width, with convenient turn-outs and switches.

May construct, etc., its railway in certain towns.

Location.

SECTION 3. Said company may maintain and operate its railway by any motive power other than steam, may erect and maintain poles and wires on private lands purchased or leased for the purposes of said railway, and, with the consent of the boards of selectmen of the towns of Maynard, Acton, Westford, Carlisle and Chelmsford, may erect within said towns such poles and wires in the streets and highways as may be necessary to establish and maintain such motive power. The company may acquire by purchase or lease all necessary real estate and water power for its power stations and other purposes incidental to the proper maintenance and operation of its railway.

Motive power, etc.

May acquire necessary real estate, etc.

SECTION 4. The capital stock of the company shall not exceed one hundred thousand dollars: *provided*, that the company may increase its capital stock, subject to the provisions of the general laws relative to such increase.

Capital stock.

Proviso.

SECTION 5. Said company, in order to meet expenses incurred under this act or by its authority, may issue

May issue mortgage bonds, etc.

bonds payable within periods not exceeding twenty years from the dates thereof, secured by mortgage of its franchise and property, in such amount as the board of railroad commissioners may approve, and subject to the general laws relative thereto; and in such mortgage may reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor.

May act as a common carrier of merchandise, etc.

Provides.

Authority to cease under certain conditions.

SECTION 6. Said company is hereby authorized to use its tracks for the transportation of passengers and their baggage, to be a common carrier of small parcels of goods and merchandise, and to carry mails upon any street or highway, or over any private land upon which it may be authorized to construct its tracks as aforesaid: *provided, however*, that said company shall not so act in any town until authorized to do so by the selectmen of the town; and *provided, further*, that said company shall in carrying baggage and small parcels be subject to such by-laws and regulations as may from time to time be made by such towns; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and of all other laws relating to common carriers.

SECTION 7. The authority hereby granted shall cease if four miles of the proposed railway are not constructed and put in operation prior to the first day of November in the year nineteen hundred and two and if said railway is not constructed and in operation in each of the towns herein named within four years of the granting of the locations by the proper authorities.

SECTION 8. This act shall take effect upon its passage.

Approved May 8, 1900.

Chap. 304 AN ACT RELATIVE TO THE ESSEX COUNTY LAW LIBRARY ASSOCIATION.

Be it enacted, etc., as follows:

Certain sum to be paid annually to the Essex County Law Library Association.

When to take effect.

SECTION 1. The treasurer of the county of Essex shall pay annually to the Essex County Law Library Association, in addition to the sums already authorized by law, the sum of one thousand dollars, to be used in maintaining and enlarging the library of said association at Salem.

SECTION 2. This act shall take effect on the first day of January in the year nineteen hundred and one.

Approved May 8, 1900.

AN ACT TO AUTHORIZE THE CITY OF PITTSFIELD TO INCUR ADDITIONAL INDEBTEDNESS FOR THE IMPROVEMENT OF ITS WATER WORKS.

Chap. 305

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter one hundred and eighty-five of the acts of the year eighteen hundred and ninety-two, as amended by chapter ninety-one of the acts of the year eighteen hundred and ninety-four, as amended by section one of chapter one hundred and fourteen of the acts of the year eighteen hundred and ninety-six, is hereby further amended by striking out the word "two", in the eighth line, and inserting in place thereof the word: — three, — so as to read as follows: — *Section 4.* The said city may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, and for the purpose of paying the necessary expenses and liabilities to be incurred in other extensions and improvements of the water works of said city, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate three hundred thousand dollars. Such bonds, notes or scrip shall bear on the face thereof the words, Pittsfield Water Loan, Act of 1892, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear interest payable semi-annually at a rate not exceeding six per cent per annum. Said city shall provide for the payment upon account of the principal sum incurred for the construction and maintenance of its water works, not less than the sum of four thousand dollars in each and every year next after the first day of April in the year eighteen hundred and ninety-three, in addition to the sums now required to be paid thereon each year by said city by the provisions of section three of chapter three hundred and forty of the acts of the year eighteen hundred and eighty-five, until all of said debt, both principal and interest, is fully paid and extinguished. The said city may authorize temporary loans to be made by its mayor and treasurer in anticipation of the issue of bonds, notes and scrip hereby authorized, or in anticipation of the payments to be made.

1892, 185, § 4,
etc., amended.

Pittsfield Water
Loan, Act of
1892.

Temporary
loans may be
authorized.

SECTION 2. The city council of the city of Pittsfield may by vote determine that the principal and interest of any bonds issued under the provisions of this act shall be

Payment of
loan.

payable in gold coin of the United States of the present standard of weight and fineness.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1900.

Chap.306 AN ACT RELATIVE TO THE PENSIONING OF MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Certain members of police department of Boston may be pensioned, etc.

SECTION 1. The board of police for the city of Boston shall, at his own request, retire from active service and place upon a pension roll any member of the police department in good standing who has arrived at the age of sixty years and who has performed active service in the department for twenty-five consecutive years.

Amount of pension to be allowed.

SECTION 2. The amount of the annual pension allowed to any person retired under the provisions of this act shall be one half of the yearly compensation received by him at the time of his retirement, the same to be paid by the city of Boston.

May be called upon for temporary service.

SECTION 3. The board of police is hereby authorized, in case of an emergency, to call upon any person so pensioned for such temporary service in the department as he may be fitted to perform, and during such service he shall be entitled to full pay.

To be in addition to certain acts.

SECTION 4. The provisions of this act are in addition to and not in repeal of any act now in force relative to pensioning members of the said force.

When to take effect.

SECTION 5. This act shall take effect upon its acceptance by the city council of the city of Boston.

Approved May 8, 1900.

Chap.307 AN ACT RELATIVE TO CORRUPT PRACTICES IN ELECTIONS.

Be it enacted, etc., as follows:

1898, § 48, § 289, amended.

SECTION 1. Section two hundred and eighty-nine of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight is hereby amended by adding at the end thereof the words: — In case the aggregate receipts or disbursements of a political committee in connection with any election shall not exceed twenty dollars the treasurer of the committee shall, within thirty days after the election, certify that fact under oath to the secretary of the Commonwealth.

Treasurers of political committees to certify certain fact.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1900.

AN ACT TO AUTHORIZE THE EAST BOSTON DRY DOCK COMPANY
TO EXTEND ITS MARINE RAILWAYS BEYOND THE HARBOR LINE
AT EAST BOSTON. Chap.308

Be it enacted, etc., as follows:

SECTION 1. The East Boston Dry Dock Company is hereby authorized to extend, maintain and operate its marine railways for a distance not exceeding seventy-five feet beyond the harbor line at East Boston, subject to the provisions of chapter nineteen of the Public Statutes: *provided*, that any structure erected under authority of this act shall be removed by said company, its successors or assigns, at any time, on the order of the board of harbor and land commissioners, and that said company shall not be entitled to any compensation by reason of any injury or expense occasioned by such removal.

Marine railways may be extended beyond harbor line, etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1900.

AN ACT TO PROVIDE FOR THE SURVEY AND IMPROVEMENT OF
HARBORS AND FOR REPAIRING DAMAGES OCCASIONED BY STORMS
ALONG THE COAST LINE OR RIVER BANKS OF THE COMMONWEALTH. Chap.309

Be it enacted, etc., as follows:

SECTION 1. The board of harbor and land commissioners is hereby authorized to expend at its discretion a sum not exceeding twenty-five thousand dollars, for the survey and improvement of harbors and for repairing damages occasioned by storms or other destructive agencies along the coast line or river banks of the Commonwealth; fifteen thousand dollars of this sum to be expended in dredging Boston harbor at a point opposite the Hoosac Tunnel docks.

Survey and improvement of harbors, etc.

SECTION 2. Said board may take, by purchase or otherwise, in the name and behalf of the Commonwealth, any land or materials necessary for making such improvements or repairs. The manner of such taking and of determining the damages caused thereby, or by any doings of said board under the provisions of this act, shall be the same as is provided by sections seven and eight of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, relating to the taking of land by the metropolitan park commission; and said board shall for the purposes of this act have the powers conferred upon the metropolitan park commission by said

Necessary land or materials may be taken, etc.

sections. The damages when finally determined shall be paid from the treasury of the Commonwealth to the person or persons entitled thereto.

Contracts to be approved by governor and council.

SECTION 3. No contract made under authority of this act shall be valid until approved in writing by the governor and council.

SECTION 4. This act shall take effect upon its passage.

Approved May 9, 1900.

Chap. 310 AN ACT TO PROVIDE FOR THE PROTECTION OF SHELLFISH IN THE TOWNS OF SWANSEA AND SOMERSET.

Be it enacted, etc., as follows :

Taking, etc., of shellfish in Swansea and Somerset regulated.

SECTION 1. No person shall take any shellfish from their beds, or wilfully obstruct the growth of any shellfish, within the towns of Swansea and Somerset, except as hereinafter provided.

Permits may be given, etc.

SECTION 2. The selectmen of either of said towns may give permits in writing to any person to take shellfish from the beds within said towns, respectively, at such times, in such quantities and for such uses, as they shall deem expedient. Said selectmen may withhold all such permits for such time as they deem expedient. But any inhabitant of said towns may without such permit take shellfish from the beds in the town of which he is an inhabitant, for the use of his family, not exceeding in quantity one bushel, including shells, in any one day; and any fisherman may without such permit take shellfish from the said beds for bait for his own use, not exceeding in quantity one bushel, including shells, in any one day. Shovels shall not be used at any time below low water mark. Forks may be used by permit from the selectmen, but not otherwise.

Little neck clams or quahaugs under certain size not to be taken.

SECTION 3. No little neck clams or quahaugs less than one and one half inches across the widest part shall be taken from their beds in either of said towns.

Penalty.

SECTION 4. Whoever violates any provision of this act shall be punished by a fine of not less than ten nor more than one hundred dollars.

Jurisdiction of offences.

SECTION 5. District courts and trial justices shall have concurrent jurisdiction with the superior court of all offences under this act.

Certain provisions of law not to apply.

SECTION 6. So much of sections sixty-eight and sixty-nine of chapter ninety-one of the Public Statutes as conflicts herewith shall not apply to the said towns of Swansea and Somerset.

Approved May 9, 1900.

AN ACT TO AUTHORIZE THE REPORTING OF MATTERS FOR DETERMINATION BY THE SUPREME JUDICIAL COURT IN CERTAIN CASES. *Chap. 311*

Be it enacted, etc., as follows :

If upon making any interlocutory finding or order in the supreme judicial court or in the superior court the justice making such finding or order is of opinion that the matter ought to be determined by the full court before further proceedings are had in the trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties.

Reporting of matters for determination by supreme judicial court authorized in certain cases.

Approved May 10, 1900.

AN ACT RELATIVE TO THE DISPLAY OF LIGHTS UPON BICYCLES. *Chap. 312*

Be it enacted, etc., as follows :

SECTION 1. Section two of chapter four hundred and seventy-nine of the acts of the year eighteen hundred and ninety-four is hereby amended by adding at the end thereof the following:—except that said commissioners, board or department, shall have no power to make regulations requiring the display of a lamp or lantern upon a bicycle; and any such regulation heretofore made shall be of no force or effect,—so as to read as follows:—

1894, 479, § 2, amended.

Section 2. The term “sidewalk”, as used in this act, shall mean any sidewalk laid out as such by a city, town or fire district, and any walk in a city or village which is reserved by custom for the use of pedestrians, or which has been specially prepared for their use. It shall not include cross walks, nor shall it include footpaths on portions of public ways lying outside of the thickly settled parts of cities and towns which are worn only by travel and are not improved by such cities or towns or by abutters. The terms “bicycle”, and “tricycle”, as used in this act, shall be deemed to include all vehicles propelled by the person riding the same by foot or hand power. The terms “park”, and “square”, as used in this act, shall not include any spaces under the control of park commissioners, or of a park board or a special park department of a town or city having power to make regulations relative to such spaces, and this act shall not in any way abridge the powers of such commissioners, board or department; except that said commissioners, board or department, shall have no power to make regulations requiring the display of a lamp or lantern upon a bicycle;

Certain terms defined.

Certain powers of commissions, boards, etc., not abridged.

and any such regulation heretofore made shall be of no force or effect.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap. 313 AN ACT TO EXTEND THE TIME FOR TAKING LAND FOR A PUBLIC PARK IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

1898, 253, § 1,
amended.

SECTION 1. Section one of chapter two hundred and fifty-three of the acts of the year eighteen hundred and ninety-eight is hereby amended by striking out the words “within three years after the passage of this act”, in the second and third lines, and inserting in place thereof the words:—before the first day of January in the year nineteen hundred and five,—and by striking out the words “city council”, in the two places where those words occur, and inserting in each instance in place thereof the words:—board of aldermen,—so as to read as follows:—*Section 1.* The city of Somerville, by its board of aldermen may at any time before the first day of January in the year nineteen hundred and five take from time to time, by gift, upon such conditions as said board of aldermen may deem advisable, or by purchase or otherwise, and hold in fee or otherwise and maintain for the purpose of a public park, the land or any portion or portions thereof situated in said city and bounded as follows:—Northeasterly by Munroe street, seven hundred and eighty and sixteen one hundredths feet; southeasterly by land now or formerly of Charles H. North, one hundred and thirty-nine and five one hundredths feet; southwesterly seven hundred and forty-nine feet by certain parcels of land belonging respectively in the order named and beginning with the most easterly of said parcels, now or formerly to Mary C. Clark, Francis S. Brown and Charles Wood, Herbert E. Gustin, Julia L. Gustin, Artemus C. Richardson, William C. Richardson, Artemus C. Richardson, Philip Eberle, John W. Vinal, Louise M. and George C. Ellis, Belvin T. Williston, heirs of William C. High, Mary F. Brooks, Catherine Lord; northwesterly by land now or formerly of Elbridge G. Park one hundred and thirty-two feet, and containing about two and five one hundredths acres.

City of Somerville may take certain land for a public park, etc.

1898, 253, § 4,
amended.

SECTION 2. Section four of said chapter is hereby amended by striking out the words “each branch of the

city council", in the third line, and inserting in place thereof the words:—the board of aldermen,—so as to read as follows:—*Section 4.* No money shall be appropriated at any time for the taking or purchasing of said land, except by a two thirds vote of the board of aldermen, taken by yeas and nays.

Appropriations.

SECTION 3. Section five of said chapter is hereby amended by striking out the words "city council", in the two places where those words occur, and inserting in each instance in place thereof the words:—board of aldermen,—by striking out the words "within two years after the work of laying out and constructing said park is completed", in the first and second lines, and inserting in place thereof the words:—before the first day of January in the year nineteen hundred and five,—and by inserting at the end of said section the words:—except as to the time of making the same as above provided,—so as to read as follows:—*Section 5.* At any time before the first day of January in the year nineteen hundred and five the board of aldermen shall have the same authority to determine the value of and to assess upon real estate the amount of betterments accruing to said real estate by the taking of land and the locating, laying out and construction of a park under this act that is conferred by chapter fifty-one of the Public Statutes upon boards of city or town officers authorized to lay out streets or ways, and the provisions of the first eight sections of said chapter shall apply to such assessments by said board of aldermen, except as to the time of making the same as above provided.

1898, 253, § 5 amended.

Assessments of betterments.

SECTION 4. This act shall be submitted to the board of aldermen of said city within sixty days after its passage, and shall take effect upon its acceptance by a majority vote of the said board taken by yeas and nays.

When to take effect.

Approved May 16, 1900.

AN ACT TO AUTHORIZE THE PALMER AND MONSON STREET RAILWAY COMPANY TO CARRY THE UNITED STATES MAIL, AND TO ACT AS A COMMON CARRIER OF BAGGAGE AND SMALL PARCELS OF MERCHANDISE.

Chap. 314

Be it enacted, etc., as follows:

SECTION 1. The Palmer and Monson Street Railway Company may act as a common carrier of baggage and small parcels of merchandise, and may also carry the

May act as a common carrier of merchandise, etc.

Provisos. United States mail in the towns of Palmer and Monson: *provided, however*, that said company shall not so act in either of said towns until authorized so to do by the selectmen of the town; and *provided, further*, that said company shall in carrying baggage and small parcels be subject to such by-laws as may from time to time be made by said towns; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and of all other laws relating to common carriers.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap. 315 AN ACT TO AUTHORIZE THE GARDNER, WESTMINSTER AND FITCHBURG STREET RAILWAY COMPANY TO CARRY THE UNITED STATES MAIL, TO CARRY FUEL AND SUPPLIES FOR ITS OWN USE, AND TO ACT AS A COMMON CARRIER OF BAGGAGE AND SMALL PARCELS OF MERCHANDISE.

Be it enacted, etc., as follows:

May act as a common carrier of merchandise, etc.

SECTION 1. The Gardner, Westminster and Fitchburg Street Railway Company may in the city of Fitchburg and in the towns of Gardner and Westminster act as a common carrier of baggage and small parcels of merchandise, and may also carry the United States mail, and fuel and supplies for its own use: *provided, however*, that said company shall not so act in any city or town until authorized so to do by the board of aldermen of the city or the selectmen of the town; and *provided, further*, that said company shall in carrying fuel and supplies for its own use, and in carrying baggage and small parcels of merchandise, be subject to such ordinances or by-laws as may from time to time be made by such city or town; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and of all other laws relating to common carriers.

Provisos.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap. 316 AN ACT TO INCORPORATE THE GREENFIELD AND DEERFIELD STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Greenfield and Deerfield Street Railway Company incorporated.

SECTION 1. John A. Taggart, Charles H. Keith, John Sheldon, Clifton L. Field, Edward H. Hollister, Daniel P. Abercrombie, Junior, Edward J. Everett, Alonzo M. Rice, Edward B. Arms, J. Edward Lamb, James B.

Bridges, Charles W. Clapp and John K. Barker, their associates and successors, are hereby made a corporation under the name of the Greenfield and Deerfield Street Railway Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to street railway companies.

SECTION 2. Said company may locate, construct, maintain and operate its railway, with a single or double track, in such manner as may be convenient, in part upon private land acquired by purchase or lease, and upon streets, highways or state roads, in the towns of Greenfield and Deerfield, subject to the approval and under the control of the selectmen of said towns, as provided by general law, and subject also to the approval and consent of the Massachusetts highway commission as to any part of said railway located upon a state highway. The location of said railway outside the public streets and highways shall not exceed fifty feet in width, with convenient turn-outs and switches.

May construct, etc., its railway in certain towns.

Location.

SECTION 3. Said company may maintain and operate its railway by any approved power other than steam, and may erect and maintain poles and wires on private lands acquired by purchase or lease for the purposes of said railway, and, with the consent of the board of selectmen of Greenfield and Deerfield, respectively, may erect in those towns such poles and wires in the streets and highways as may be necessary to establish and maintain such motive power. The company may acquire by purchase or by lease all necessary real estate and water power for its power stations and other uses incident to the proper maintenance of its railway.

Motive power, etc.

May acquire necessary real estate, etc.

SECTION 4. The capital stock of said company shall not exceed one hundred thousand dollars, but the company may increase its capital stock, subject to the provisions of the general laws relative to such increase.

Capital stock.

SECTION 5. Said company, in order to meet the expenses incurred under this act, may from time to time by vote of the majority in interest of its stockholders issue coupon or registered bonds. All bonds issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded. Such bonds shall be secured by a mortgage of the franchise and property of the company, subject to the general laws relative thereto;

May issue mortgage bonds, etc.

and in such mortgage the company may reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become unsuitable for use by the company, provided an equivalent in value is substituted therefor.

Issue of stock or bonds to be approved by railroad commissioners, etc.

SECTION 6. No stock or bonds shall be issued under this act until the terms of such issue have been submitted to the board of railroad commissioners and approved by them, and if they approve such issue a certificate setting forth such approval shall be executed by the board and filed by said company in the office of the secretary of the Commonwealth.

Portion of road to be in operation within three years.

SECTION 7. The authority herein granted shall cease unless three miles of the proposed road has been built and put in operation at the end of three years from the passage of this act.

SECTION 8. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap.317

AN ACT TO REGULATE THE PRACTICE OF PHARMACY.

Be it enacted, etc., as follows :

1896, 397, § 18, amended.

Section eighteen of chapter three hundred and ninety-seven of the acts of the year eighteen hundred and ninety-six is hereby amended by striking out the words “by himself or his agent or servant, unless such agent or servant is so registered”, in the second and third lines, and by adding at the end of said section the words:—In cases where a registered pharmacist has died or become incapacitated his business may be continued by his widow, executor or administrator, under a registered pharmacist, — so as to read as follows:—*Section 18.* Whoever not being registered as aforesaid shall retail, compound for sale or dispense for medicinal purposes, or shall keep or expose for sale, drugs, medicines, chemicals or poisons, except as provided in section twenty-three of this act, shall be punished by a fine not exceeding fifty dollars. But nothing in this act shall be construed to prohibit the employment of apprentices or assistants under the personal supervision of a registered pharmacist. In cases where a registered pharmacist has died or become incapacitated his business may be continued by his widow, executor or administrator, under a registered pharmacist.

Penalty for sale, etc., of drugs, etc., by persons not registered.

Business may be continued by widow, etc., in certain cases.

Approved May 16, 1900.

AN ACT TO REQUIRE RAILROAD COMPANIES TO TRANSPORT THE BICYCLES OF PASSENGERS AS BAGGAGE. *Chap. 318*

Be it enacted, etc., as follows:

SECTION 1. For the purposes of this act bicycles are hereby declared to be baggage, and every railroad company owning or operating a railroad of standard gauge in this Commonwealth is hereby required to check and transport bicycles between stations within the limits of the Commonwealth for any passenger, subject to the same and no other charges, terms and liabilities as other baggage: *provided*, that this act shall apply only when the passenger pays by mileage book, or by ticket other than a season ticket, or in cash, the established fare of not less than ten cents, exclusive of any rebate.

Bicycles to be transported as baggage.

Proviso.

SECTION 2. No railroad company shall be required to transport in accordance with the provisions of this act more than one bicycle for a single passenger; and the weight of the bicycle shall be included in estimating the total weight of baggage for which transportation is desired.

Weight to be included in total weight of baggage, etc.

SECTION 3. No passenger shall be required to crate, cover or otherwise protect any bicycle presented for transportation as baggage.

Not required to be crated, etc.

Approved May 16, 1900.

AN ACT TO PROVIDE ROOMS IN THE CITY OF BOSTON IN WHICH TO HOLD THE PROBATE COURT OF NORFOLK COUNTY IN CERTAIN CASES. *Chap. 319*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized to provide, furnish and maintain a suitable room or suitable rooms and accommodations in the city of Boston for the use of the probate court of Norfolk county, for the hearing and trial of such contested cases in said court as the parties thereto or their counsel may desire to have heard and tried in the city of Boston.

Rooms may be provided in Boston for holding probate court of Norfolk county in certain cases.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap.320 AN ACT TO DEFINE THE AUTHORITY OF THE BOARD OF PARK COMMISSIONERS OF THE CITY OF BOSTON AS TO THE CHESTNUT HILL RESERVOIR GROUNDS.

Be it enacted, etc., as follows:

Certain provisions of law not to apply to Evergreen cemetery, etc.

SECTION 1. The provisions of chapter two hundred and seventy-four of the acts of the year eighteen hundred and ninety-nine shall not be construed as applying to Evergreen cemetery, nor as giving to the board of park commissioners of the city of Boston the custody, care or control of any lands owned by the city of Boston within the boundaries specified in the first section of said chapter and used for the purposes of a cemetery, nor as giving to said board the power to take for park purposes any such lands now or hereafter used for cemetery purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

Chap.321 AN ACT RELATIVE TO FIRST AND SECOND CLASS BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1892, 419, § 24, etc., amended.

First and second class buildings in Boston.

SECTION 1. Section twenty-four of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-two, as heretofore amended, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:— *Section 24.* Every building in the city of Boston hereafter erected or raised to over seventy feet in height, or erected within the building limits of said city as a permanent schoolhouse, shall be a first class building. Every building in said city hereafter erected, enlarged or converted to use as a hotel or lodging house, or as a tenement house for more than two families above the second story, shall be a first class building; and every building of not more than four stories above the cellar or basement, and not more than fifty feet in height, in said city, hereafter erected, enlarged or converted to use as a tenement house for two families or less above the second story, may be a second class building, but shall be plastered on incombustible materials from wall to wall and from floor to ceiling in each story.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

AN ACT TO AUTHORIZE THE INTERSTATE CONSOLIDATED STREET RAILWAY COMPANY TO CARRY THE UNITED STATES MAIL, BAGGAGE AND SMALL PARCELS OF MERCHANDISE.

Chap. 322

Be it enacted, etc., as follows:

SECTION 1. The Interstate Consolidated Street Railway Company is hereby authorized to act as a common carrier of baggage and small parcels of merchandise, and to carry the United States mail: *provided, however*, that said company shall not so act in any town until authorized so to do by the selectmen of such town; and *provided, further*, that said company shall in carrying baggage and small parcels be subject to such by-laws as may from time to time be made by such town; and shall also be subject to the provisions of chapter seventy-three of the Public Statutes and of all other laws relating to common carriers.

May act as a common carrier of merchandise, etc.

Provides.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1900.

AN ACT TO REVISE THE CHARTER OF THE CITY OF GLOUCESTER.

Chap. 323

Be it enacted, etc., as follows:

TITLE ONE.

MUNICIPAL GOVERNMENT.

SECTION 1. The inhabitants of the city of Gloucester, for all purposes for which towns and cities are by law incorporated in this Commonwealth, shall continue to be a body politic and corporate, under the name of the City of Gloucester, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now pertaining to and incumbent upon the said city as a municipal corporation.

City of Gloucester.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of the said city, with the government thereof, shall be vested in an executive department, which shall consist of one officer, to be called the mayor, and a legislative department, which shall consist of a single body, to be called the city council, the members thereof to be called councilmen. The executive department shall never exercise any legislative power, and

Administration of municipal affairs, etc.

the legislative department shall never exercise any executive power, except as hereinafter provided.

Eight wards.

SECTION 3. The territory of the city shall be divided into eight wards, as at present constituted, until the same shall be changed in accordance with law.

TITLE TWO.

ELECTIONS AND MEETINGS.

Calling of elections.

SECTION 4. All elections for national, state, county, district and municipal officers, and for other purposes, shall be called by order of the city council, according to the provisions of the general laws of the Commonwealth.

Municipal election and municipal year.

SECTION 5. The annual municipal election shall be held on the first Tuesday in December, and the municipal year shall begin at ten o'clock in the forenoon on the first Monday of January next following.

Election of mayor, councilmen, etc.

SECTION 6. At such municipal election the qualified voters shall give in their votes in the several wards for mayor, president of the city council, councilmen at large, school committee, commissioners of public works, and assessors, or such of them as are to be elected by and from the qualified voters of the city at large as provided in this act, and three councilmen and one assistant assessor from each ward, to be elected by and from the qualified voters in each ward respectively, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons up to the number required to be chosen receiving the highest number of votes shall be deemed and declared elected. If it shall appear that there is no choice of mayor, or of a president of the city council, or if the person elected mayor or president of the city council shall refuse to accept office, or shall die before qualifying, or if a vacancy in either of said offices shall occur more than three months before the expiration of the municipal year, the city council shall forthwith order a special election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of mayor and president of the city council, and shall be repeated until the election of the mayor or the president of the city council is completed. If the full number of councilmen from wards has not been elected, or if a vacancy in the

Vacancy in office of mayor or president of city council.

Vacancy in office of ward councilman.

office of ward councilman shall occur more than three months before the expiration of the municipal year, the city council shall forthwith order a special election to be held in the ward to fill the vacancy.

SECTION 7. General meetings of the inhabitants may from time to time be held according to the right secured to the people by the constitution of this Commonwealth, and such meetings may, and, upon request in writing of fifty qualified voters setting forth the purposes thereof, shall be duly called by the city council.

General meetings of inhabitants.

TITLE THREE.

THE LEGISLATIVE DEPARTMENT.

SECTION 8. The city council shall be composed of nine councilmen at large and twenty-four ward councilmen, who shall sit and act as one legislative body. They shall be elected as follows:—The nine councilmen at large shall be elected by and from the qualified voters of the whole city, and in voting for such councilmen at large no voter shall vote for more than five, and the nine having the highest number of votes shall be declared elected; and three councilmen from each of the eight wards shall be elected by and from the qualified voters respectively in each ward. They shall hold office for the municipal year beginning with the first Monday in January next following their election and until a majority of the succeeding city council are elected and qualified. The councilmen shall receive no compensation for their services.

City council, election, terms, etc.

SECTION 9. The mayor elect, the president of the city council elect, and the councilmen elect, shall annually, on the first Monday of January, at ten o'clock in the forenoon, meet and be sworn to the faithful discharge of their duties. The oath shall be administered by the city clerk, or in his absence by any justice of the peace, and shall be duly certified on the journal of the city council. In case of the absence of the mayor elect or the president elect on the first Monday of January, or if a mayor or president shall not then have been elected, the oath of office may at any time thereafter be administered to either of them in the presence of the city council; and at any time thereafter in like manner the oath of office may be administered to any member of the city council who has been previously absent or subsequently elected; and every oath shall be

Oath of office of mayor, president of city council, etc.

City clerk to be clerk of city council, etc.

duly certified as aforesaid. After the oath has been administered to the president and councilmen present the city council shall be called to order by the president. In case of his absence the councilmen shall be called to order by the city clerk. The city clerk shall be clerk of the city council, but these offices shall nevertheless remain distinct and independent. The clerk of the city council shall keep a journal, containing a record of the proceedings of the city council, and a record at large of all votes taken by roll call, and he shall engross, sign and attest all ordinances and resolutions of the city council.

President of city council, term, rights and powers, etc.

SECTION 10. The president of the city council shall hold office for the municipal year beginning with the first Monday in January next following his election and until a successor is elected and qualified. He shall preside at the meetings of the city council and have all the rights and powers of a presiding officer, shall appoint all committees of the city council, and may at any time address the city council, but shall have no vote unless the city council is equally divided. His succession to the office of acting mayor under the provisions of section twenty-three of this act shall constitute a temporary vacancy in the office of president, and the city council shall elect by ballot one of their number to act as president pro tempore during such temporary vacancy.

Vacancy in office of councilman at large.

SECTION 11. If the full number of councilmen at large has not been elected at the annual municipal election, or if a vacancy occurs thereafter in the office of councilman at large, the city council shall forthwith elect by a majority vote of all the members thereof a qualified voter of the city, not a member of the city council, to fill the vacancy for the remainder of the municipal year. Should there fail to be a choice of a member of the board of commissioners of public works, or of assessors, at the municipal election, or should a vacancy thereafter occur in either of the above named boards, by resignation or otherwise, such vacancy shall be filled for the remainder of the municipal year by the city council, in the same manner as a vacancy in the office of councilman at large is filled, and at the next annual municipal election there shall be elected on the general ticket, in addition to the members of the above named boards then to be elected for the term of three years, such other members for the unexpired terms as may be necessary to fill vacancies, so that the term of but

Vacancy in board of commissioners of public works or assessors.

one member of a board shall expire in the same year. In case there should fail to be a choice of an assistant assessor in any ward at the annual municipal election, or should a vacancy thereafter occur, the city council may elect a qualified voter in the ward wherein the vacancy occurred, to serve as assistant assessor for the remainder of the municipal year.

Vacancy in office of assistant assessor.

SECTION 12. The mayor may at any time call a special meeting of the city council, and shall call a special meeting upon request in writing of one third of the members thereof. The mayor shall cause written notice of such special meeting, with a statement of the subjects to be considered thereat, to be given in hand to each member, or to be left at his usual place of residence at least twenty-four hours before the time appointed for such meeting; and no final action shall be taken at such special meeting on any business not stated in such notice, except with the unanimous consent of all the members of the city council.

Special meetings of city council.

SECTION 13. The city council shall determine the rules of its own proceedings and shall be the judge of the election and qualifications of its own members. The city council shall sit with open doors, and the journal of its proceedings shall be open to public inspection. The vote of the city council upon any question shall be taken by roll call when the same is requested by two members. A majority of all the members of the city council shall be required to constitute a quorum, but a smaller number may adjourn from day to day. In the absence of the president the city council shall choose one of their number to act as president pro tempore, and a plurality of the votes cast shall be sufficient for a choice.

City council to determine rules of its proceedings, be judge of election of its members, etc.

Quorum, etc.

SECTION 14. The city council shall annually in the month of January elect by affirmative vote of a majority of all the members thereof, a treasurer, a collector of taxes, who may be the treasurer, a city clerk, a city auditor, and a city engineer, who shall hold office, beginning with the first Monday of the following February, until their successors are chosen and qualified: *provided, however*, that any of the officers named in this section may be removed at any time by said city council for sufficient cause, by a two thirds vote of all the members thereof. The said treasurer, tax collector, auditor, city clerk, and city engineer, shall perform such duties as may

Treasurer, city clerk, etc., election, term, etc.

Proviso.

be prescribed by ordinance, and they shall perform all the duties and exercise all the powers imposed or conferred upon them by law.

City council,
powers and
duties.

SECTION 15. The city council shall, except as is otherwise provided herein, have and exercise all the legislative powers, authorities and duties of towns, the powers of boards of aldermen, and of the mayor and aldermen and city councils or common councils of cities under the general laws, and the powers now vested by special laws in the city of Gloucester or in the city council, the common council, the aldermen, or the mayor and aldermen of said city. The city council shall, with the approval of the mayor, have exclusive authority to order the laying out, locating anew, altering, widening or discontinuing of town ways, streets or highways, and to order specific repairs or a change of grade, without any appeal therefrom to the county commissioners. Whenever in the opinion of the city council the public necessity and convenience require that a highway or street should be laid out, or that any existing highway, street or town way should be laid out anew, altered, widened or discontinued, or that specific repairs or a change of grade should be made therein, the city council shall appoint a time and place for a public hearing, and shall cause a notice thereof and of its intentions in the matter to be given, as now required by general laws in the case of town ways. Said hearing may be adjourned from time to time if the city council deems it necessary; and after such hearing the city council shall determine what action, if any, the public necessity and convenience require, and the way or street shall be laid out, located anew, altered, widened or discontinued, or specific repairs or a change of grade shall be made, if so determined. The damages sustained by any person thereby shall be assessed and awarded by the city council, and any person aggrieved by the assessment of his damages or other action of the city council under this section may have the remedies provided by general laws in the case of town ways. All expenditure of money for material and labor required at any time under the provisions of this section shall be made under the direction and management of the board of public works. No street or way shall hereafter be opened over any private land and dedicated to or permitted to be used by the public, or by the owners, lessees or occupants

Streets, high-
ways, etc.

Damages.

Expenditure of
money.

Width, etc., of
streets to be
approved.

thereof, until the width, location and grade of the same have been approved by the mayor and city council.

SECTION 16. Every ordinance, order, resolution or vote which involves the appropriation or expenditure of money to an amount which may exceed one hundred dollars, the laying of an assessment, or the granting to a person or corporation of any right over or under any street or other public ground of said city, shall be read twice, with an interval of at least seven days between the two readings, before being finally passed, and the vote upon its final passage shall be taken by roll call.

Certain ordinances, etc., to have two readings, etc.

SECTION 17. Every ordinance, order, resolution or vote of the city council, except such as relates to its own internal affairs, to its officers or employees, to the election of city clerk, auditor, tax collector, city engineer, or treasurer, to the declaration of a vacancy in the office of mayor and the removal of other officers, shall be presented to the mayor for his approval or disapproval, and like proceedings shall be had thereon as are provided in such cases by the general laws relating to cities.

Certain ordinances, etc., to be subject to approval of mayor, etc.

SECTION 18. The city council shall have power within said city to make and establish ordinances and by-laws, and to affix thereto penalties as herein and by general law provided, without the sanction of any court or justice thereof: *provided, however*, that all by-laws and regulations now in force in the city of Gloucester and not inconsistent herewith shall remain in force until they expire by their own limitation or are revised or repealed by the city council.

City council may establish ordinances, affix penalties, etc.

Proviso.

SECTION 19. No member of the city council shall during the term for which he is elected hold any other office in or under the city government, nor have the expenditure of any money appropriated by the city council, or act as counsel in any matter before the city council or any committee thereof, and no person shall be eligible for appointment to any municipal office established by the city council during any municipal year for which he is elected councilman, until the expiration of the succeeding municipal year.

Members of city council not to hold other city office, etc.

TITLE FOUR.

EXECUTIVE DEPARTMENT.

SECTION 20. The mayor shall have and exercise all the executive powers of the city, to be carried into effect

Executive powers vested in mayor, etc.

Term of office,
salary, etc.

by himself or through the several boards or officers in their departments, under his general supervision and control. He shall communicate to the city council such information and recommend such measures as in his judgment the interests of the city may require, and shall cause the laws, ordinances and orders for the government of the city to be obeyed. The mayor shall hold office for the municipal year, beginning with the first Monday in January next following his election, until his successor is elected and qualified. He shall cause a record of all his official acts to be kept, and his salary shall be twelve hundred dollars per annum, and such additional sums as the city council may establish by ordinance passed by vote of two thirds of all the members thereof; such ordinance however shall not take effect until the year succeeding that in which it was passed.

May suspend
officers for
cause, etc.

SECTION 21. The mayor may in writing suspend any officer for cause, and he shall at once report such action and his reasons therefor to the city council. The suspension of any officer shall, in fifteen days after the said report is made, be a removal, unless within that time the officer asks for a hearing before the city council, which shall forthwith be granted; and if after such hearing the city council votes that the mayor's suspension be not sustained the officer shall at once be reinstated.

To appoint cer-
tain executive
officers, etc.

SECTION 22. The mayor shall appoint, subject to confirmation or rejection by the city council, the executive officers established by or under this act, unless their election or appointment is herein otherwise provided for. In case of any vacancy in the office to which appointment is made by the mayor he may personally perform the duties thereof, but shall not be entitled to receive any salary or pay attaching thereto.

President of
city council to
act in case of
vacancy in
office of mayor,
etc.

SECTION 23. Whenever there is a vacancy in the office of mayor, or whenever by reason of sickness, absence from the city or other cause the mayor shall be unable to attend to the duties of the office, the president of the city council shall, as acting mayor, exercise all the rights and powers of the mayor during such vacancy, inability or absence, but shall not make any permanent appointment unless authorized so to do by vote of the city council.

TITLE FIVE.

SCHOOL COMMITTEE.

SECTION 24. The school committee shall consist of the mayor, who shall be ex officio chairman of the board, and nine other persons, three to be chosen at each annual election and to hold office for the term of three years from the first Monday in January next following. The present school committee shall continue to hold office until the expiration of the terms for which they were elected. The school committee shall serve without pay, and shall have the care and superintendence of the public schools, and the appointment of all janitors of school buildings, who shall be under their direction and control. All grants and appropriations of money for the support of schools, and for the erection and repair of schoolhouses in said city, shall be made by the city council, in the same manner in which grants and appropriations are made for other city purposes. Should there fail to be a choice of members of the school committee at the annual election the vacancies shall be filled by a joint vote of the city council and school committee, and vacancies thereafter occurring shall be filled in like manner.

School committee, election, term, etc.

Vacancies.

SECTION 25. The school committee shall on the first Monday in June, or as soon thereafter as may be, choose by a vote of a majority of its members, but not from their own number, a superintendent of schools, who shall be under their direction and control. Such superintendent shall hold office for the term of one year from the first Monday in July in the year of his election, unless sooner removed by a vote of a majority of all the members of the school committee.

Superintendent of schools, election, term, etc.

TITLE SIX.

DEPARTMENTS AND ADMINISTRATIVE OFFICERS.

SECTION 26. There shall be the following department and administrative officers, who shall perform the duties imposed upon them respectively by law and by this act, and such further duties, not inconsistent with the nature of their respective offices, as the city council may prescribe.

Department and administrative officers.

I. A board of public works, to be elected by the qualified voters at large

Board of public works.

Board of public
works.

at the first municipal election after the acceptance of this act; one for the term of one year, one for the term of two years and one for the term of three years from the first Monday in January next following; and thereafter annually by the voters at large at the annual municipal election, one commissioner of public works, to serve for the term of three years. The board of public works shall have control, except as provided in section fifteen of this act, of the construction, alteration, repair, maintenance, care and management of ways, streets, highways, sidewalks and bridges, and the lighting and watering thereof, of the construction, extension, alteration, repair and care of public sewers and drains, and of the construction, alteration, repair, maintenance and care of all the public buildings, except that the use and occupancy of the public school buildings and grounds shall be under the control of the school committee, the use and occupancy of the engine houses and buildings and grounds of the fire department shall be under the control of the fire commissioner, the public parks shall be under control of the park commissioners, and the Huntress Home shall be under the control of the trustees of the home. Said board of public works shall also have the care, superintendence and management of the public grounds belonging to the city; the care and control of the shade and ornamental trees standing in the streets and public ways; the supervision of electric light, street railway, telephone and telegraph wires and poles, and of gas pipes, and of the erection and removal thereof. Said board shall further have and exercise the powers and authority vested by the laws of the Commonwealth in superintendents of streets, surveyors of highways, road commissioners of towns, sewerage commissioners, and inspectors of buildings, and shall annually appoint a superintendent of streets, to act under their direction, and may employ engineers, clerks and such other assistants as they deem necessary, and may fix the compensation of their appointees. No person or corporation authorized by law or by the city council to dig up any public street or sidewalk in said city shall begin such digging before furnishing to the board of public works security satisfactory to them to restore such street or sidewalk to its former condition.

Water depart-
ment.

II. A water department, to be under the charge of three commissioners, to be appointed in the manner pro-

vided by chapter four hundred and fifty-one of the acts of the year eighteen hundred and ninety-five. The present members of the board of water commissioners shall continue to hold their respective offices according to the tenure thereof. The board of water commissioners shall exercise the powers and discharge the duties granted to and imposed upon them by law, and shall have charge of the construction, repair and maintenance of the water works, and shall also exercise all the powers and duties granted to and imposed upon the city of Gloucester by said chapter four hundred and fifty-one, including the purchase or taking of land or other property or rights.

III. A fire department, to be under the charge of one fire commissioner, to be appointed by the mayor and confirmed by the city council, who shall hold office for the term of one year from the first Monday in February next following his appointment. The fire commissioner shall appoint the chief engineer and such assistant engineers as the city council shall from time to time prescribe, and, upon the recommendation of the board of engineers, such officers and members of the fire department as the city council may from time to time determine. The chief engineer shall hold office for the term of one year beginning with the first Monday in February next following his appointment. The fire commissioner shall have charge of the engines and apparatus, of hydrants and all movable property appertaining to the fire department, and the control and management of all the affairs pertaining to the fire department of the city.

Fire department.

IV. A police department, to consist of a city marshal and such number of patrolmen and other officers of the department as the city council may determine. The city marshal shall hold office for one year and until his successor is appointed and qualified, unless sooner removed. The mayor shall have exclusive power to appoint the city marshal, and to remove him whenever in his judgment the interests of the city so require. The order for his removal shall be filed in the office of the city clerk. The mayor shall have the exclusive power to appoint all other members of the police department, subject to confirmation by the city council, to hold office during good behavior, but he may remove any such member for cause, in the manner provided in section twenty-one of this act. The police department shall be under the charge of the city marshal.

Police department.

Board of health.

V. A board of health, to be elected as follows : — In the month of January next following the acceptance of this act the city council shall elect two qualified voters, one to serve for the term of one year and one to serve for the term of two years from the first Monday in February next following, who, together with the city physician, shall constitute the board of health ; and thereafter annually in the month of January the city council shall elect a qualified voter of the city to serve as a member of the board of health for the term of two years from the first Monday in February next following. The board of health shall also be commissioners of public cemeteries, and shall have the general care, direction and control of public burying places, and all work in and upon the same, and shall have and exercise all the powers and duties made incumbent upon boards of health by the laws of the Commonwealth and by the ordinances of the city of Gloucester.

Assessing department.

VI. The assessing department, to be under the charge of three assessors, to be elected by ballot by and from the qualified voters at large at the annual municipal election, to serve for the term of three years from the first Monday in January next following their election. The present members of the board of assessors shall continue to hold their respective offices according to the tenure thereof, and at the first municipal election after the acceptance of this act the city council shall provide for the election of the member to fill the vacancy occurring at the end of the municipal year, so that the term of but one assessor shall expire in the same year.

Law department.

VII. The law department, to be under the charge of the city solicitor, who shall be elected annually by the city council during the month of April, for the term of one year from the first day of May next following. He shall perform all legal services required by the city, and attend to all proceedings at law or in equity in which the city is a party, and to all claims presented to the city council. For said purposes he shall have sole charge of all such matters and proceedings. He shall give in writing his legal opinion upon any of the municipal affairs of the city, upon the request of the mayor or the city council, and in addition shall give his opinion as to any legal question arising in any department, upon request made by the head of such department.

Engineer department.

VIII. The engineer department, to be under the charge of the city engineer.

IX. The city clerk department, to be under the charge of the city clerk. City clerk department.

X. The treasury department, to be under the charge of the city treasurer. Treasury department.

XI. The collecting department, to be under the charge of the collector of taxes. Collecting department.

XII. The auditing department, to be under the charge of the city auditor. Auditing department.

XIII. The charity department, to be under the charge of three overseers of the poor. There shall be elected annually in the month of January by the city council, one overseer of the poor for the term of three years from the first Monday in February next following his election. The present members of the board of overseers of the poor shall continue to hold office for the terms for which they were severally elected. Charity department.

XIV. The sinking fund department, to be under the charge of three commissioners, to be elected by the city council, to have the control and management of the sinking funds of the city, subject to the laws relating thereto. Sinking fund department.

XV. A public park department, to be under the charge of five park commissioners, as now established by law, who shall have the control and management of the public parks of the city, subject to the laws relating thereto. Said commissioners shall be appointed by the mayor, subject to confirmation by the city council, and the present commissioners shall continue to hold office for the terms for which they were severally appointed. Public park department.

XVI. A board of trustees of the Huntress Home. Trustees of Huntress Home.

XVII. A city physician, who shall be appointed by the mayor with the approval of the city council, for a term of three years. City physician.

The city council may by ordinance establish additional administrative offices and define the duties of the incumbents thereof, and such officers shall be subject to the provisions of this act. Additional administrative offices may be established.

The above named officers and members of boards shall, unless otherwise provided by this act or by law, be appointed annually in the month of January by the mayor, subject to confirmation by the city council, and shall hold office for the term of one year from the first Monday of February next following their appointment. All of said officers, including members of said boards, whether elected at large or by the city council, or appointed by the mayor, shall be sworn to the faithful discharge of their duties Certain officers to be appointed by the mayor annually, etc.

and shall hold office until their respective successors are elected, or appointed, and qualified.

Officers and boards to be deemed public officers.

All officers and boards shall, in the exercise of the duties imposed upon them, be deemed to be public officers, and for their acts the city shall not be liable, except so far as liability may now exist for the acts of public officers performing the same duties.

TITLE SEVEN.

GENERAL PROVISIONS.

Boards to elect permanent chairmen, etc.

SECTION 27. Each of the above named boards shall at its first meeting, on the first Monday in February in each year or as soon thereafter as may be, choose by ballot a permanent chairman from among its members, unless a chairman is otherwise provided. No person shall be chosen permanent chairman unless he receives the votes of a majority of the members of the board, and he may be removed from such chairmanship by the like vote. Each of said boards shall, unless it has a clerk as hereinbefore provided, choose a secretary from among its members, in the manner above prescribed for the choice of a chairman, and may remove him in like manner.

City auditor, powers and duties.

SECTION 28. The city auditor shall, on the first business day of every month, audit all accounts in which the city is concerned as debtor or creditor, and shall report to the city council as it may direct. He shall have access at all times during business hours to all the books and vouchers of the city treasurer.

Certain officers entitled to seats with city council, etc.

SECTION 29. The chairman of the board of public works, the chairman of the board of water commissioners, a member of the school committee appointed by the committee for that purpose, the fire commissioner, and the city auditor, shall be respectively entitled to seats with the city council, and shall have the right to discuss all matters relating to their respective departments, but shall have no right to vote. They shall be notified in like manner with the councilmen of all meetings of the city council. The mayor may at any time address the city council in person.

Administrative officers, etc., may appoint or remove clerks, etc.

SECTION 30. The administrative officers and boards above named in this act, and all administrative officers and boards established by the city council and not coming within the department of any officer or board so above

named, shall have power, except as herein otherwise provided, to appoint or employ and to remove or discharge all clerks and employees in their respective departments. Such appointments shall not be for any specified term but shall hold good until the incumbent is removed or discharged. Orders of removal shall state the grounds thereof, and shall be entered upon the records of the officer or board making the same, and removals shall take effect upon the filing of the copy of such order with the city clerk, who shall record the same in a book provided for the purpose, which book shall be open to public inspection.

SECTION 31. Every board and every officer above named who is not a member of a board shall keep a record of all official transactions, and such record shall be open to public inspection.

Record of official transactions to be kept.

SECTION 32. No person shall be elected or appointed to any office established by this act unless at the time of such election or appointment he has been a citizen of the United States for at least one year, nor to any office, except on the board of public works, or in the fire department, or to the office of city marshal, or superintendent of schools, unless at the time of such election or appointment he has been a resident of the city for at least one year.

Certain persons not eligible.

SECTION 33. Any office established by or under this act shall become vacant if the incumbent thereof ceases to be a resident of the city. The conviction of the incumbent of any office of a crime punishable by imprisonment shall create a vacancy in the office held by him.

Offices to become vacant under certain conditions.

SECTION 34. The school committee and every officer and board having the expenditure of money shall annually, on or before the first day of November, furnish to the mayor an itemized estimate of the money required for the ensuing financial year. The mayor shall examine such estimates and shall, on or before the fifteenth day of November, submit them to the city council, with his itemized and detailed recommendations thereon. The city council shall, on or before the fifteenth day of December in each year, appropriate the amount necessary to meet the expenditures of the following year, and such appropriation shall not thereafter be increased nor any subsequent appropriation be made, except by a vote of two thirds of all the members, taken by call of the yeas and nays. No expenditure

Estimate of expenses, etc.

Appropriations, expenditures, etc.

of public money from the annual appropriation order shall be authorized, except by a vote of a majority of all the members of the city council, taken by call of the yeas and nays. No expenditure of public money shall be made by any officer or board, nor any liability incurred by or on behalf of the city, beyond the amount duly appropriated therefor, set forth and contained in the annual or some subsequent appropriation order of the city council.

Salaries of city officers, etc.

SECTION 35. The city council shall establish by ordinance the regular salaries or remuneration of the officers provided for by this act, in case the same is not fixed herein, and of such other officers as may hereafter be provided for; and no ordinance of the city council changing any such salary or remuneration shall take effect until the municipal year succeeding that in which the ordinance is passed. Such salary shall be in full for all services rendered to the city by the officer receiving the same.

No money to be paid from treasury unless granted or appropriated, etc.

SECTION 36. The city council shall take care that no money is paid from the treasury unless it be granted or appropriated, and shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties from the treasurer and all other persons entrusted with the receipt, custody or disbursement of public money. It shall as often as once a year cause to be published for the use of the inhabitants a particular account of the receipts and expenditures of the city for that year, and a schedule of all the city property and of the city debt.

Account of receipts and expenditures to be published, etc.

Sums appropriated for a specific purpose not to be expended for any other purpose, etc.

SECTION 37. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made nor liability incurred by or in behalf of the city until an appropriation has duly been voted by the city council sufficient to meet such expenditure or liability, together with all unpaid prior liabilities which are payable out of such appropriation.

Civil service.

SECTION 38. Nothing herein contained shall affect the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, being "An Act to improve the civil service of the Commonwealth and the cities thereof", or of any acts in amendment thereof or in addition thereto, or of the rules made by the commissioners appointed thereunder; and the city council shall make sufficient appropriations for carrying out and enforcing said act and such rules in said city.

SECTION 39. Administrative boards, and officers having charge of a department shall, within their respective departments, employ all labor, make and execute all necessary contracts, purchase all materials and supplies, and shall in general have the immediate direction and control of all executive and administrative business; and they shall at all times be accountable for the proper discharge of their duties to the mayor, as chief executive of the city. All contracts made by any officer or board shall, when the amount involved is three hundred dollars or more, be in writing, and no such contract shall be deemed to have been executed until the approval of the mayor is affixed thereto. All such contracts shall be accompanied by a bond with sureties satisfactory to the officer or board having the matter in charge, or a deposit of money or other securities for the faithful discharge of such contract, and such bond, money or other securities shall be deposited with the city clerk until the contract has been carried out in every respect; and no such contract shall be altered, except by written agreement of the contractor, the sureties on his bond, and the officer or board making the contract, with the approval of the mayor affixed thereto.

Employment of labor, making of contracts, etc.

SECTION 40. The city council shall establish fire limits within the city, and may from time to time change or enlarge the same; and may by ordinance regulate the construction of all buildings erected within said fire limits, specifying their situation, size, and the material of which they shall be constructed, and may make such other rules and regulations as shall tend to prevent damage by fire, provided the same are not inconsistent with the laws of the Commonwealth.

City council to establish fire limits, etc.

SECTION 41. So much of any act as is inconsistent herewith is hereby repealed, but the passage of this act shall not affect any right accruing or accrued, or any suit, prosecution or other legal proceeding pending at the time when it takes effect by acceptance, as herein provided, and no penalty or forfeiture previously incurred shall be affected thereby. All persons holding offices in said city at the time when this act shall be accepted as aforesaid shall continue to hold such offices until the organization of the new city government hereby authorized is effected, and until their respective successors are chosen and qualified. All by-laws and ordinances of the city of Gloucester in force at the time when said acceptance takes effect, and not incon-

Repeal, etc.

Submission of
question of
acceptance.

sistent with the provisions of this act, shall continue in force until the same are repealed by the city council. No act which has heretofore been repealed shall be revived by the repeal of any part of the acts mentioned in this section.

SECTION 42. The question of the acceptance of this act shall be submitted to the voters of the city of Gloucester at the annual state election in the present year. The vote shall be taken by ballot in accordance with the provisions of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-eight, and acts in amendment thereof and in addition thereto, so far as the same shall be applicable, in answer to the question: "Shall an act passed by the general court in the year 1900, entitled 'An Act to revise the Charter of the City of Gloucester', be accepted?"; and the affirmative votes of a majority voting thereon shall be required for its acceptance. In case this act shall fail thus to be accepted by the voters of said city at its first submission it may at a succeeding annual state election again be submitted for acceptance, but not after four years from the passage thereof.

When to take
effect.

SECTION 43. So much of this act as authorizes the submission of the question of its acceptance to the voters of said city shall take effect upon its passage, but it shall not take further effect until accepted by the voters of the city, as above provided; and it shall then take full effect.

Approved May 18, 1900.

Chap. 324 AN ACT TO PROVIDE ACCOMMODATIONS FOR THE COURTS OF THE COUNTY OF MIDDLESEX AT CAMBRIDGE, FOR A STABLE AT THE LOWELL JAIL, AND FOR IMPROVEMENTS AT THE TRUANT SCHOOL IN NORTH CHELMSFORD.

Be it enacted, etc., as follows:

Repairs, etc., in
old registry of
deeds and court
buildings in
Cambridge.

SECTION 1. The county commissioners of the county of Middlesex are hereby authorized and empowered to make necessary repairs and alterations in the old registry of deeds and court buildings in Cambridge to adapt them to the uses of the courts and public offices of the county, and to expend therefor and for necessary furnishings a sum not exceeding forty thousand dollars.

Stable may be
erected at
Lowell jail.

SECTION 2. Said county commissioners may erect a suitable stable in the enclosed yard of the Lowell jail, at a cost not exceeding five thousand dollars.

Fire apparatus,
etc., for truant
school build-
ings, etc.

SECTION 3. Said county commissioners may provide for the truant school buildings and property in North

Chelmsford such apparatus and other means for extinguishing fires therein as they may deem proper, at a cost not exceeding six thousand dollars.

SECTION 4. To meet the expenses incurred under this act said commissioners may borrow from time to time upon the credit of the county a sum not exceeding fifty thousand dollars.

County commissioners may borrow upon credit of county.

SECTION 5. This act shall take effect upon its passage.

Approved May 18, 1900.

AN ACT RELATIVE TO THE MANUFACTURE AND SALE OF TEXTILE FABRICS AND PAPERS CONTAINING ARSENIC.

Chap. 325

Be it enacted, etc., as follows:

SECTION 1. Any corporation, person, firm or agent who directly or by an agent manufactures, sells, exchanges, or has in his custody or possession with intent to sell or exchange, any woven fabric or paper containing arsenic in any form, or any article of dress or of household use composed wholly or in part of such woven fabric or paper, shall on conviction thereof be punished by fine of not less than fifty nor more than two hundred dollars: *provided, however,* that this section shall not apply to dress goods or articles of dress containing not more than one one hundredth grain, or to other materials or articles containing not more than one tenth grain of arsenic per square yard of the material.

Penalty for the manufacture and sale, etc., of textile fabrics, etc., containing arsenic.

Proviso.

SECTION 2. The state board of health shall make all necessary investigations as to the existence of arsenic in the materials and articles mentioned in section one of this act, may employ inspectors and chemists for that purpose, and shall adopt such measures as it may deem necessary to carry out the provisions and to facilitate the enforcement of this act.

State board of health to make necessary investigations, etc.

SECTION 3. This act shall take effect on the first day of January in the year nineteen hundred and one.

When to take effect.

Approved May 18, 1900.

AN ACT TO ESTABLISH THE OFFICE OF CLERK OF THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER.

Chap. 326

Be it enacted, etc., as follows:

SECTION 1. There shall be a clerk of the third district court of southern Worcester, who shall receive a salary

Clerk of third district court of southern Worcester.

of five hundred dollars a year, to be so allowed from the first day of June in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1900.

Chap.327 AN ACT TO PROVIDE FOR ESTABLISHING FIXED HOURS FOR THE RECORDING OF PAPERS IN REGISTRIES OF DEEDS.

Be it enacted, etc., as follows :

Fixed hours to be established for recording papers in registries of deeds.

SECTION 1. The registry of deeds in each county shall be open a fixed number of hours daily, except on Sunday and public holidays, for the receiving and recording of papers. The hours now fixed by the registers in each county shall continue as the fixed hours herein prescribed until changed by order of the justices of the superior court, who shall have full power to fix such hours for the receiving and recording of papers in all registries, as will best provide for the business therein transacted. Notice of the hours fixed shall be given by the placing of printed notices in conspicuous places upon or near the entrance door or doors, and upon the walls or counters in each registry.

Papers received outside established hours.

SECTION 2. Papers received for record outside the hours so established shall be placed on record as of the next morning hour so established.

SECTION 3. This act shall take effect upon its passage.

Approved May 18, 1900.

Chap.328 AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF ESSEX.

Be it enacted, etc., as follows :

Assistant register of probate and insolvency, Essex county.

SECTION 1. The salary of the assistant register of probate and insolvency for the county of Essex shall be twenty-three hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

Chap.329 AN ACT TO ESTABLISH THE SALARY OF THE SECOND ASSISTANT CLERK OF COURTS FOR THE COUNTY OF ESSEX.

Be it enacted, etc., as follows :

Second assistant clerk of courts, Essex county.

SECTION 1. The salary of the second assistant clerk of courts for the county of Essex shall be two thousand

dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE CLERK OF THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Chap.330

Be it enacted, etc., as follows:

SECTION 1. The salary of the clerk of the municipal court of the Roxbury district of the city of Boston shall be eighteen hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

Clerk of municipal court of Roxbury district.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Chap.331

Be it enacted, etc., as follows:

SECTION 1. The salary of the assistant clerk of the municipal court of the Roxbury district of the city of Boston shall be twelve hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

Assistant clerk of municipal court of Roxbury district.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT CLERK OF THE FIRST DISTRICT COURT OF EASTERN MIDDLESEX.

Chap.332

Be it enacted, etc., as follows:

SECTION 1. The salary of the assistant clerk of the first district court of eastern Middlesex shall be one thousand dollars a year, to be so allowed from the first day of January in the year nineteen hundred.

Assistant clerk, first district court of eastern Middlesex.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO CHANGE THE NAME OF THE STATE ALMSHOUSE.

Chap.333

Be it enacted, etc., as follows:

SECTION 1. The name of the state almshouse at Tewksbury is hereby changed to State Hospital.

Name changed.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

Chap.334 AN ACT TO REGULATE THE WIDTH OF TIRES ON DRAFT WAGONS.*Be it enacted, etc., as follows :*Width of tires
on draft
wagons, etc.,
regulated.

SECTION 1. On and after the first day of January in the year nineteen hundred and two it shall be unlawful, except as provided in section four of this act, to use upon any road, street or way in this Commonwealth a draft wagon or cart having tires of iron or steel, or of any substance equally hard, which are less in width than one and one half times the diameter of the axle, measured at the shoulder thereof; but in no case shall a tire more than four inches in width be required, and wagons or carts built with wooden or hollow axles shall have tires not less in width than the diameter of the axle, measured at the shoulder thereof.

To apply to
certain wagons,
carts, etc.

SECTION 2. This act shall apply to all wagons and carts the axles of which are two inches or more in diameter, measured as aforesaid, and to all stage coaches, tallyho coaches, barges and other passenger vehicles not built to run on iron or steel rails and constructed to carry eight or more persons.

Penalty.

SECTION 3. Whoever violates any provision of this act shall be punished by a fine not exceeding one hundred dollars.

When to take
effect.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and two, but shall not apply to wagons or other vehicles owned and used in this state on that date.

*Approved May 23, 1900.***Chap.335** AN ACT TO PROVIDE FOR THE PROTECTION OF HUMAN LIFE IN THE CASE OF FIRE OR PANIC.*Be it enacted, etc., as follows :*1894, 481, § 24,
amended.

SECTION 1. Section twenty-four of chapter four hundred and eighty-one of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "stairways", in the twenty-third line, the words:—or by such other way or device as the owner shall elect, provided the same shall be approved in writing by said inspector,—so as to read as follows:—*Section 24.* Every building now or hereafter used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage or place of public resort, and every building in which ten or more persons are employed above the second story

Certain build-
ings to have
proper ways
of egress or
other means of
escape from
fire.

in a factory, workshop, or mercantile or other establishment, and every hotel, family hotel, apartment house, boarding house, lodging house or tenement house in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment the owner, lessee or occupant of which is notified in writing by the inspector hereinafter mentioned that the provisions of this act are deemed by him applicable thereto, shall be provided with proper ways of egress, or other means of escape from fire, sufficient for the use of all persons accommodated, assembling, employed, lodging or residing in such building; and such ways of egress and means of escape shall be kept free from obstruction, in good repair and ready for use. Every room above the second story in any such building, in which ten or more persons are employed, shall be provided, if the said inspector shall so direct in writing, with more than one way of egress, by stairways or by such other way or device as the owner shall elect, provided the same shall be approved in writing by said inspector, on the inside or outside of the building, placed as near as practicable at opposite ends of the room; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows, and such landings, doors and windows shall be kept clear of ice and snow and other obstructions. Women or children shall not be employed in a factory, workshop, or mercantile or other establishment, in a room above the second story from which there is only one way of egress, if the said inspector shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly, if the said inspector shall so direct in writing. No portable seats shall be allowed in the aisles or passageways of such buildings during any service or entertainment held therein. The proscenium or curtain opening of all theatres shall have a fire resisting curtain of some incombustible material, and such curtain shall be properly constructed and shall be operated by proper mechanism; the certificate of the said inspector shall be conclusive evidence of a compliance with such requirements.

Certain buildings to have proper ways of egress or other means of escape from fire.

Doors and windows to open outwardly if inspector so directs, etc.

Theatres to have a fire resisting curtain.

SECTION 2. Section eighty-two of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-two, as set out in section one of chapter three hundred and ten of the acts of the year eighteen hundred

1892, 419, § 82, etc., amended.

Ways of egress
from certain
buildings in
Boston, etc.

Proviso.

and ninety-seven, is hereby amended by striking out the words “a flight of stairs”, in the twenty-ninth and thirtieth lines, so as to read as follows:—*Section 82.* No building two stories or more in height hereafter erected in the city of Boston, and no such building in said city not used at the passage of this act as a schoolhouse, church, theatre, public building, hall, place of assembly or public resort, tenement house, boarding house or lodging house, or as a factory or workshop where ten or more persons are employed, or used above the second story as a dwelling by two or more families, shall be used for any of said purposes unless such building is provided with at least two independent and sufficient ways of egress. One of said ways of egress shall consist of a flight of stairs extending from the lowest to the highest floor, made of fireproof material and enclosed in brick walls, with the enclosed space or stairway provided with a ventilating skylight which can be opened and closed from every floor, and having openings through an external wall to the outer air at least one to each story except the upper and the lower, each opening to have an area of at least five square feet and to be maintained unobstructed: *provided, however,* that when there shall be within the space enclosed by the stairway and its landings from the second story upwards an open area for light and ventilation whose least horizontal dimensions shall be equal to the width of the stairs, but in no case less than three feet, then the aforesaid openings through an exterior wall may be omitted. There shall be no opening upon the stairway except as aforesaid and for said skylight, and for doors from apartments and corridors. The other way of egress shall be approved by the inspector of buildings, and may project over a public way. Every way of egress from every such building shall be kept in good repair and unobstructed.

Approved May 23, 1900.

Chap.336 AN ACT TO AUTHORIZE THE TOWN OF IPSWICH TO PAY TO THE WIDOW OF GEORGE P. SMITH A SUM OF MONEY ON ACCOUNT OF INJURIES RECEIVED BY HIM WHILE ASSISTING A POLICE OFFICER IN MAKING AN ARREST.

Be it enacted, etc., as follows:

Town of Ips-
wich may pay a
sum of money
to widow of
George P.
Smith.

SECTION 1. The town of Ipswich is hereby authorized to pay to Olive P. Smith, widow of George P. Smith, a sum of money on account of injuries received by him on

the eighteenth day of April in the year eighteen hundred and ninety-five, while assisting a police officer of said town in making an arrest.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO AUTHORIZE THE AMERICAN CAR SPRINKLER COMPANY TO MAKE CONTRACTS AND ASSUME OBLIGATIONS RELATIVE TO OPERATING STREET SPRINKLING APPARATUS UPON THE TRACKS OF STREET RAILWAY COMPANIES.

Chap.337

Be it enacted, etc., as follows :

SECTION 1. The American Car Sprinkler Company, or its successors, is hereby authorized to enter into and assume such obligations with and to furnish such protection to the locations, privileges, rights and properties of the street railway companies over whose tracks its apparatus may be operated for the purpose of sprinkling streets, as may reasonably be required in the conduct of the business of the said company in sprinkling streets and highways.

American Car Sprinkler Company may make contracts, etc., relative to operating street sprinkling apparatus.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH THE CONSOLIDATION AND ARRANGEMENT OF THE PUBLIC STATUTES.

Chap.338

Be it enacted, etc., as follows :

SECTION 1. The sum of ten thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for expenses in connection with the consolidation and arrangement of the Public Statutes of the Commonwealth, during the year ending on the thirty-first day of December in the year nineteen hundred, the same to be in addition to any amount heretofore authorized.

Consolidation and arrangement of the Public Statutes.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO REGULATE THE SIZE OF BERRY BASKETS.

Chap.339

Be it enacted, etc., as follows :

SECTION 1. All baskets or other receptacles used or intended to be used in the sale of strawberries, rasp-

Size of berry baskets regulated.

berries, blackberries, cherries, currants and gooseberries shall be of the capacity of one quart, one pint, or one half pint, Massachusetts standard dry measure.

Penalty.

SECTION 2. Whoever sells or offers for sale a basket or other receptacle not conforming to said standard, to be used in the sale of any of the aforesaid fruit, and whoever sells or offers for sale any of the aforesaid fruit in any basket or other receptacle not conforming to the said standard, shall be punished by a fine of not less than five dollars nor more than ten dollars for each offence.

Capacity of receptacles may be tested, etc.

SECTION 3. The said baskets or other receptacles shall not be required to be tested and sealed as provided by chapter sixty-five of the Public Statutes, but the sealer or deputy sealer of weights and measures of any city or town, or the deputy sealer of the Commonwealth, may, when he so desires, and shall upon complaint, test the capacity of any basket or other receptacle in which any of the aforesaid fruit is sold or intended to be sold; and when the same is found to contain less than the standard measure it shall be his duty to seize the same, and to make complaint against the vendor for the violation of the law.

When to take effect.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and one.

Approved May 23, 1900.

Chap. 340

AN ACT TO AUTHORIZE THE METROPOLITAN PARK COMMISSION TO MAKE RULES AND REGULATIONS TO GOVERN THE PUBLIC USE OF THE CHARLES, NEPONSET AND MYSTIC RIVERS, AND OF PONDS AND OTHER WATERS ALONG WHICH IT HOLDS ABUTTING LANDS FOR PUBLIC OPEN SPACES.

Be it enacted, etc., as follows:

Metropolitan park commission may make rules, etc., to govern public use of certain rivers, etc.

SECTION 1. The metropolitan park commission may from time to time make rules and regulations to govern the public use of the Charles river, the Neponset river, and the Mystic river, within the metropolitan parks district, and of the ponds and other waters along which it holds abutting lands for public open spaces in said district, and for breaches thereof may affix penalties not exceeding twenty dollars for one offence, to be imposed by any court of competent jurisdiction; and in general may do all acts needful for the proper execution of the powers and duties granted to and imposed upon said board by this act: *provided*, that any rule or regulation affect-

Proviso.

ing waters used for water supply purposes shall not take effect as to such waters until approved in writing by the water board or other officers of the state, district, city or town having control and charge of the same.

SECTION 2. Nothing in this act shall affect the rights of any city or town relating to its water supply, or the water rights of any person or corporation, whether a mill owner or otherwise.

Certain rights of cities, towns, etc., not affected.

SECTION 3. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO LEGALIZE CERTAIN PROCEEDINGS OF THE TOWN OF HUDSON. Chap.341

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the town of Hudson at its annual meeting and adjournments thereof in the year nineteen hundred shall not be invalid by reason of the omission in the warrant calling the meeting to state the time of opening and closing the polls, or of any irregularities resulting from such omission.

Certain proceedings of town of Hudson legalized.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT TO CONFIRM CERTAIN PROCEEDINGS OF THE TOWN OF MARION. Chap.342

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the town of Marion at its annual meeting in the year nineteen hundred shall not be invalid by reason of the fact that the polls were not kept open during the whole period required by law.

Certain proceedings of town of Marion confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1900.

AN ACT RELATIVE TO THE CONSTRUCTION OF A SYSTEM OF SEWERAGE BY THE TOWN OF DEDHAM. Chap.343

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter two hundred and seventy of the acts of the year eighteen hundred and ninety-seven is hereby amended by striking out the word "five", in the twenty-ninth line, and inserting in place thereof the word: — ten, — so as to read as follows: —

1897, 270, § 6, amended.

Section 6. The town of Dedham shall by vote determine what proportion of the cost of said system or systems

Town of Dedham to determine proportion

of cost to be
paid by town.
Proviso.

of sewerage and sewage disposal said town shall pay: *provided*, that it shall not pay less than one third nor more than one half of the whole cost. The remaining cost of said systems shall be borne by the owners of estates situated within the territory embraced by it and benefited thereby, but no estate shall be deemed to be benefited unless or until a sewer is constructed into which it can be drained. The owners of such estates shall be assessed by said commissioners their proportional parts respectively of such portion of the total cost of said systems as is not borne by the town as above provided. Such proportional parts shall be based upon the estimated average cost of all the sewers composing said systems, and shall be assessed by a fixed uniform rate according to the frontage of such estate on any street or way in which a sewer is constructed, or according to the area of such estate within a fixed depth from such street or way, or according to both frontage and area; and every such owner shall, within three months after written notice of such assessment served on him or on the occupants of his estate, or sent by mail to the last address of said owner known to said commissioners, pay the sum so assessed to the collector of taxes of said town; *provided*, that said board shall, on the written request of any such owner, made within said three months, apportion such assessment into such number of equal parts or instalments, not exceeding ten, as said owner shall state in such request; and said board shall certify such apportionment to the assessors of said town, and one of said parts or instalments, with interest from the date of said apportionment at the rate of six per cent per annum, shall be added by the assessors to the annual tax on such estates for each year next ensuing until all said parts have been so added, unless sooner paid as hereinafter provided, and *provided*, *further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of six per cent per annum shall be paid to the date of such payment; and thereupon the collector of taxes of said town shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In cases of corner lots and lots abutting on more than one sewered street the same area shall not be assessed more than once.

SECTION 2. Section nine of said chapter is hereby amended by striking out the word "five", in the sixteenth line, and inserting in place thereof the word: — four, — so as to read as follows: — *Section 9.* The town of Dedham, for the purpose of paying the necessary expenses and liabilities incurred under this act, may incur indebtedness and may issue from time to time as may be required therefor, bonds, notes or scrip to an amount not exceeding two hundred thousand dollars; and the debt and loan authorized by this act, and the notes, bonds or scrip issued therefor, shall not be considered or reckoned in determining the authorized limit of indebtedness of said town under the provisions of section four of chapter twenty-nine of the Public Statutes and of acts in amendment thereof or in addition thereto. Such bonds, notes or scrip shall bear on their face the words, Dedham Sewerage Loan, shall be payable within periods not exceeding forty years from the issuing of such bonds, notes or scrip respectively, and shall bear interest payable semi-annually at a rate not exceeding four per cent per annum. Said bonds, notes or scrip shall be signed by the treasurer of said town and shall be countersigned by a majority of the selectmen. The said town may sell such securities or any part thereof, from time to time, at public or private sale, or pledge the same for money borrowed for the purposes of this act: *provided*, that they shall not be sold or pledged for less than the par value thereof; and the proceeds thereof shall be retained in the treasury, and the treasurer shall pay therefrom the expenses incurred for the purposes aforesaid.

1897, 270, § 9,
amended.

Dedham Sewer-
age Loan.

Proviso.

SECTION 3. This act shall be submitted to the voters of the town of Dedham at any annual town meeting or at any special meeting duly called for the purpose, and shall take effect upon its acceptance by a majority of the voters voting thereon.

When to take
effect.

Approved May 23, 1900.

AN ACT RELATIVE TO THE CONSTRUCTION OF FISHWAYS BY THE COMMISSIONERS ON INLAND FISHERIES AND GAME.

Chap. 344

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter ninety-one of the Public Statutes is hereby amended by inserting before the word "When", in the first line, the words: — When in the opinion of the commissioners a passage for edible fish should be provided, or, — by striking out the word

P. S. 91, § 7,
amended.

Commissioners
on inland
fisheries and
game may con-
struct fishways,
etc.

“he”, in the third line, and inserting in place thereof the words: — either of the commissioners, — by striking out the words “such person’s”, in the fifth line, and inserting in place thereof the word: — the, — and by inserting after the word “expense”, in the sixth line, the words: — of the Commonwealth, when in the opinion of the commissioners the person required by law to construct or maintain the same is not able to afford such expense, — so as to read as follows: — *Section 7.* When in the opinion of the commissioners a passage for edible fish should be provided, or when either of the commissioners finds that there is no fishway or an insufficient fishway in or around a dam where the law requires a fishway to be maintained, either of the commissioners may, in his discretion, enter with workmen and materials upon the premises of the person required to maintain a fishway there, and may at the expense of the Commonwealth, when in the opinion of the commissioners the person required by law to construct or maintain the same is not able to afford such expense, improve an existing fishway, or cause one to be constructed if none exists, and may take, if necessary, the land of any other person not obliged by law to maintain said fishway; and when a fishway has been constructed in accordance with the provisions of this section, the commissioners shall not require the owner of the dam to alter the same within five years from the completion thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 24, 1900.

Chap. 345

AN ACT RELATIVE TO TEMPORARY GUARDIANS.

Be it enacted, etc., as follows:

Temporary
guardians may
be appointed in
certain cases,
etc.

SECTION 1. When by reason of delay in granting or issuing letters of guardianship of a minor, insane person or spendthrift, or when for any other cause the judge of the probate court deems it expedient to do so, he may at any time and place, and with or without notice or minor’s nomination, appoint some suitable person to be temporary guardian of the person and estate of such minor, insane person or spendthrift, with the same powers and duties and subject to the same provisions of law, except as otherwise provided herein, which obtain in the case of guardians. Such temporary guardian shall hold his office until the appointment of a guardian or until his temporary

guardianship is otherwise terminated according to law; and in case of an appeal from the decree appointing him the temporary guardian shall nevertheless proceed in the execution of his duties until otherwise ordered by the supreme court of probate. The judge of the probate court having jurisdiction may at any time with or without notice remove a temporary guardian or terminate his trust.

SECTION 2. When it appears to the judge that the parents or surviving parent of a minor are or is unfit to have the custody of such minor, or that one of such parents is unfit therefor, the judge may, with the consent of the other parent, when one is unfit, order that the temporary guardian of such minor shall have such custody. He may also so order when the temporary guardian of a minor is serving or appointed to serve in place of a temporary guardian removed; and upon such order the temporary guardian shall have the custody and control of such minor, exclusive of parents or parent, during the continuance of his trust or until it is otherwise ordered. The person appointed to be temporary guardian of a minor, pending proceedings before the probate court for an order under section four of chapter one hundred and thirty-nine of the Public Statutes, or for the removal of a guardian of a minor, shall by virtue of his appointment have the custody and control of his ward, exclusive of parents or parent, during the pendency of such proceedings, and until such proceedings are terminated.

Temporary guardian to have custody of minor in certain cases.

SECTION 3. The appointment of a temporary guardian, whether of a minor, an insane person or a spendthrift, may be made upon the petition of the mayor of a city, of the selectmen of a town, of the overseers of the poor of a city or town, or of any other person in interest.

Appointment of temporary guardians.

SECTION 4. Every temporary guardian shall give bond, with sufficient sureties, in form substantially like the bonds required of guardians in similar cases.

To give bond, etc.

SECTION 5. Upon the issuing of letters of guardianship the powers of the temporary guardian shall cease, and he shall forthwith deliver to the guardian all the estate of the ward in his hands; and the guardian may be admitted to prosecute a suit begun by the temporary guardian, in like manner as an administrator may prosecute a suit begun by a former special administrator.

Powers to cease upon the issuing of letters of guardianship, etc.

SECTION 6. Section six of chapter one hundred and thirty-nine of the Public Statutes, and chapter one hun-

Repeal.

dred and thirty-five of the acts of the year eighteen hundred and ninety-seven, are hereby repealed.

Approved May 25, 1900.

Chap.346 AN ACT TO CONFIRM THE PROCEEDINGS OF A TOWN MEETING OF
THE TOWN OF AGAWAM.

Be it enacted, etc., as follows :

Proceedings of
town meeting
of Agawam
confirmed.

SECTION 1. The proceedings of the annual town meeting of the town of Agawam held on the second day of April in the year nineteen hundred shall not be invalid by reason of failure to serve the warrant calling said meeting, as therein directed, or by reason of any irregularities consequent upon such failure.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

Chap.347 AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT REGISTER
OF PROBATE AND INSOLVENCY FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows :

Assistant reg-
ister of probate,
etc., Middlesex
county.

SECTION 1. The salary of the assistant register of probate and insolvency for the county of Middlesex shall be twenty-five hundred dollars a year, to be so allowed from the first day of March in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

Chap.348 AN ACT TO PROVIDE FOR THE CHANGE OF BUILDING LINES ON
LANDSDOWNE STREET IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Changes may be
made in build-
ing lines of
Lansdowne
street, Boston.

SECTION 1. The board of street commissioners of the city of Boston, with the approval of the mayor, may, within six months after the passage of this act, make such changes as they may deem necessary or desirable in the building lines of Lansdowne street, as shown on a plan of the territory between the Back Bay fens, Brookline avenue and the Boston and Albany railroad, made by Pierre Humbert, Junior, and filed in the office of the city surveyor or city engineer of the city, and the plan as so changed shall have the same effect as it had before the change was made.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

AN ACT TO INCREASE THE REPRESENTATION OF THE CITY OF LOWELL
IN THE TRUSTEES OF THE LOWELL TEXTILE SCHOOL CORPORATION. *Chap. 349*

Be it enacted, etc., as follows :

SECTION 1. During any school year, which for the purposes of this act shall be construed as a period of twelve calendar months beginning with the first day of July in each year, the chairman of the board of aldermen, the president of the common council, and a member of the textile union of the city of Lowell, who shall be appointed by the Lowell Textile Council, shall be members of the board of trustees of the Lowell Textile School Corporation. Trustees of Lowell Textile School Corporation.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

AN ACT RELATIVE TO THE COMMITMENT OF INSANE PERSONS TO
INSANE ASYLUMS. *Chap. 350*

Be it enacted, etc., as follows :

SECTION 1. A person applying for the commitment or for the admission of an insane person to a state insane hospital under the provisions of chapter eighty-seven of the Public Statutes, or for commitment of a dipsomaniac under the provisions of chapter three hundred and thirty-nine of the acts of the year eighteen hundred and eighty-five, or under the provisions of chapter four hundred and fourteen of the acts of the year eighteen hundred and eighty-nine, shall first give notice in writing to the overseers of the poor of the place where the insane person or dipsomaniac resides, except that in the city of Boston such notice shall be given to the institutions registrar, and also to the chairman of the insane hospital trustees, of his intention to make such application ; and satisfactory evidence that such notice has been given shall be produced to the justice in cases of commitment. But this act shall not apply to cases provided for in section one of chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-eight. Commitments, etc., to insane hospitals and to hospital for dipsomaniacs, etc.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

Not to apply to certain cases.

Chap. 351 AN ACT TO AUTHORIZE THE CITY OF SPRINGFIELD TO ESTABLISH A BOARD OF PUBLIC WORKS.

Be it enacted, etc., as follows:

Board of public works of Springfield established.

SECTION 1. All the powers and duties now vested in the board of public works and the board of supervisors of highways and bridges of the city of Springfield in relation to the laying out and establishing of public streets, the construction, maintenance and repair of highways, walks, curbing, sewers and drains, the care and control of trees in public ways, the assignment of places for poles and wires, either overhead or underground, and the general supervision of the highway and sewer departments, and all work relating thereto now devolving upon the present board of public works and the board of supervisors of highways and bridges, together with such of the powers and duties now vested in the mayor, board of aldermen and common council in relation to any of the foregoing matters as the city council may delegate by ordinance, shall be vested in a board of public works, of which the mayor shall be a member and chairman ex officio, and the remaining members of which shall be appointed by the mayor and confirmed by the board of aldermen, with such restrictions and limitations and with such compensation for services as the city council of the city of Springfield may by ordinance decide, any provision in the charter of said city or any other acts relating thereto to the contrary notwithstanding.

Repeal.

SECTION 2. Chapter three hundred and thirty-four of the acts of the year eighteen hundred and seventy-two, and so much of any other acts as is inconsistent herewith, are hereby repealed: *provided, however*, that the city council of the city of Springfield may continue to exercise all the rights, privileges and authority now conferred upon it by section six of said chapter three hundred and thirty-four.

Proviso.

When to take effect.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Springfield.

Approved May 25, 1900.

AN ACT TO ESTABLISH THE RANK OF THE COMMISSARY GENERAL. *Chap.352*
Be it enacted, etc., as follows :

SECTION 1. The commissary general on the staff of the commander-in-chief shall have the rank of brigadier general. Rank of commissary general established

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

AN ACT TO ESTABLISH THE RANK OF THE JUDGE-ADVOCATE GENERAL. *Chap 353*
Be it enacted, etc., as follows :

SECTION 1. The judge-advocate general on the staff of the commander-in-chief shall have the rank of brigadier general. Rank of judge-advocate general established.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1900.

AN ACT RELATIVE TO REGISTERING AND CONFIRMING TITLES TO LAND. *Chap.354*
Be it enacted, etc., as follows :

SECTION 1. The name of the Court of Registration, established by chapter five hundred and sixty-two of the acts of the year eighteen hundred and ninety-eight, is hereby changed to the Court of Land Registration. The title of the judge of registration is hereby changed to judge of land registration, and the title of the assistant judge of registration is hereby changed to associate judge of land registration. Name of Court of Registration changed to Court of Land Registration, etc.

SECTION 2. Section thirteen of said chapter is hereby amended by inserting before the word "registration", in the first line and in the third line, the word :— land, — by striking out in the third line, the word "assistant", and inserting in place thereof the word :— associate, — and by adding at the end thereof the following clause :— excepting however that the salaries of the assistant recorders and expenses for clerical services incurred by the assistant recorders under said act shall be paid by their respective counties, and all fees collected by them, except those received upon the filing of applications for registration, shall be paid by them to their respective counties. All fees received with such applications shall be transmitted with the applications to the recorder. So much 1898, 502, § 13, amended.

Salaries of
judges, re-
corders, etc.

of section eleven of this act as is inconsistent herewith is hereby repealed, — so as to read as follows: — *Section 13.* The salary of the judge of land registration shall be forty-five hundred dollars a year. The salary of the associate judge of land registration shall be four thousand dollars a year. The salaries of the recorder, assistant recorders, examiners of titles, and all assistants and messengers shall be fixed by the governor and council. All salaries and expenses of the court shall be paid from the treasury of the Commonwealth, excepting however that the salaries of the assistant recorders and expenses for clerical services incurred by the assistant recorders under said act shall be paid by their respective counties, and all fees collected by them, except those received upon the filing of applications for registration, shall be paid by them to their respective counties. All fees received with such applications shall be transmitted with the applications to the recorder. So much of section eleven of this act as is inconsistent herewith is hereby repealed.

1898, 562, § 19,
amended.

Applications for
registration.

SECTION 3. Section nineteen of said chapter is hereby amended by adding at the end thereof the following clause: — If the holder of the mortgage does not consent to the making of the application it may be entered nevertheless and the title registered subject to such mortgage, which may be dealt with or foreclosed as if the land subject to such mortgage had not been registered. But the decree of registration in such case shall state that registration is made subject to such mortgage, describing it, which has not been registered, and shall provide that no subsequent certificate shall be issued and no further papers registered relating to such land after a foreclosure of such mortgage, — so as to read as follows: — *Section 19.* Application for registration of title may be made by the following persons, namely:

First. The person or persons claiming, singly or collectively, to own the legal estate in fee simple.

Second. The person or persons claiming, singly or collectively, to have the power of appointing or disposing of the legal estate in fee simple.

Third. Infants and other persons under disability may make application by their legally appointed guardians; but the person in whose behalf the application is made shall be named as applicant.

Fourth. Corporations may make application by any

officer duly authorized by a vote of the directors: *pro-* Proviso.
vided, however, that one or more tenants for a term of
years, which is regarded as a fee simple in section one
of chapter one hundred and twenty-one of the Public
Statutes, shall not be allowed to make application except
jointly with those claiming the reversionary interest which
makes up the fee simple at common law; nor shall a mort-
gagor make application without the consent in writing of
the mortgagee; nor a married woman without the consent
in writing of her husband, unless she holds the land as her
separate property or has a power to appoint the same in
fee simple, or has obtained a decree of the probate court
under the provisions of chapter two hundred and fifty-five
of the acts of the year eighteen hundred and eighty-five,
as amended by chapter two hundred and ninety of the acts
of the year eighteen hundred and eighty-seven; nor one
or more tenants claiming undivided shares less than a fee
simple in the whole land described in the application.

If the holder of the mortgage does not consent to the
making of the application it may be entered nevertheless
and the title registered subject to such mortgage, which
may be dealt with or foreclosed as if the land subject to
such mortgage had not been registered. But the decree
of registration in such case shall state that registration is
made subject to such mortgage, describing it, which has
not been registered, and shall provide that no subsequent
certificate shall be issued and no further papers registered
relating to such land after a foreclosure of such mortgage.

Registration of
title of certain
mortgaged
land.

SECTION 4. Section twenty-seven of said chapter is
hereby amended by striking out the whole of said sec-
tion and inserting in place thereof the following:—*Sec-*
tion 27. When an application is made subject to an
existing recorded mortgage, the holder of which has con-
sented thereto or to a recorded lease for a term exceeding
seven years, or when the registration is to be made sub-
ject to such a mortgage or lease executed after the time
of the application and before the date of the transcription
of the decree, the applicant shall, if required by the court,
file a certified copy of such mortgage or lease, and shall
cause the original, or, in the discretion of the court, a
certified copy thereof to be presented for registration
before a decree of registration is entered, and no regis-
tration fee shall be charged for registering such original
mortgage or lease or such certified copy.

1900, 562, § 27,
amended.

Certified copy
of mortgage or
lease to be filed
in certain cases,
etc.

1896, 562, § 32,
amended.

Return day of
notice, etc.

SECTION 5. Section thirty-two of said chapter is hereby amended by inserting after the period in the fourth line from the end of said section, the following words:—The court shall, so far as it deems it possible, require proof of actual notice to all adjoining owners and to all persons who appear to have any interest in or claim to the land included in the application. Notice to such persons by mail shall be by registered letter, —so as to read as follows:—*Section 32.* The return day of said notice shall be not less than twenty nor more than sixty days from the date of issue. The court shall also, within seven days after publication of said notice in a newspaper, cause a copy of the same to be mailed by the recorder to every person named therein whose address is known. The court shall also cause a duly attested copy of the notice to be posted in a conspicuous place on each parcel of land included in the application, by a sheriff or deputy sheriff, fourteen days at least before the return day thereof, and his return shall be conclusive proof of such service. If the applicant requests to have the line of a public way determined the court shall order notice to be given by the recorder, by mailing a registered letter to the mayor of the city or to one of the selectmen of the town or towns in which the land lies, or, if the way is a highway, to one of the county commissioners of the county or counties in which the land lies. If the land borders on a river, navigable stream or shore, or on an arm of the sea where a river or harbor line has been established, or on a great pond, or if it otherwise appears from the application or the proceedings that the Commonwealth may have a claim adverse to that of the applicant, notice shall be given in the same manner to the attorney-general. The court may also cause other or further notice of the application to be given in such manner and to such persons as it may deem proper. The court shall, so far as it deems it possible, require proof of actual notice to all adjoining owners and to all persons who appear to have any interest in or claim to the land included in the application. Notice to such persons by mail shall be by registered letter. The certificate of the recorder that he has served the notice as directed by the court, by publishing or mailing, shall be filed in the case before the return day, and shall be conclusive proof of such service.

1896, 562, § 58,
amended..

SECTION 6. Section fifty-eight of said chapter is hereby amended by adding at the end thereof the following words;

— and *provided, further*, that in case the land described in a certificate of title is divided into lots, designated by numbers or letters, with measurements of all the bounds, and a plan of said land has been filed with the recorder and verified pursuant to section forty-four of this act, and a certified copy thereof is recorded in the registration book with the original certificate, when the registered owner makes a deed of transfer in fee of one or more of such lots, the assistant recorder may, instead of cancelling such certificate and entering a new certificate to the grantor for the part of the land not included in the deed of transfer, enter on the original certificate and on the owner's duplicate certificate a memorandum of such deed of transfer, with a reference to the lot or lots thereby conveyed as designated on such plan, and that the certificate is cancelled as to such lot or lots; and every certificate with such memorandum shall be as effectual for the purpose of showing the grantor's title to the remainder of the land not conveyed as if the old certificate had been cancelled and a new certificate of such land had been entered; and such process may be repeated so long as there is convenient space upon the original certificate and the owner's duplicate certificate for making such memorandum of sale of lots, — so as to read as follows: — *Section 58.* When a deed in fee is for a part only of the land described in a certificate of title the assistant recorder shall also enter a new certificate and issue an owner's duplicate to the grantor for the part of the land not included in the deed. In every case of transfer the new certificate or certificates shall include all the land described in the original and surrendered certificates: *provided, however*, that no new certificate to a grantee of a part only of the land shall be invalid by reason of the failure of the assistant recorder to enter a new certificate to the grantor for the remaining unconveyed portion; and *provided, further*, that in case the land described in a certificate of title is divided into lots, designated by numbers or letters, with measurements of all the bounds, and a plan of said land has been filed with the recorder and verified pursuant to section forty-four of this act, and a certified copy thereof is recorded in the registration book with the original certificate, when the registered owner makes a deed of transfer in fee of one or more of such lots, the assistant recorder may, instead of cancelling such certificate and entering a new certificate to the grantor for the part of the land not in-

1898, 502, § 58,
amended.

Proceedings in
case deed is for
part only of
land, etc.

Proviso.

cluded in the deed of transfer, enter on the original certificate and on the owner's duplicate certificate a memorandum of such deed of transfer, with a reference to the lot or lots thereby conveyed as designated on such plan, and that the certificate is cancelled as to such lot or lots; and every certificate with such memorandum shall be as effectual for the purpose of showing the grantor's title to the remainder of the land not conveyed as if the old certificate had been cancelled and a new certificate of such land had been entered; and such process may be repeated so long as there is convenient space upon the original certificate and the owner's duplicate certificate for making such memorandum of sale of lots.

SECTION 7. This act shall take effect upon its passage.

Approved May 25, 1900.

Chap. 355 AN ACT TO INCORPORATE THE BEN FRANKLIN LIFE INSURANCE COMPANY OF BOSTON.

Be it enacted, etc., as follows:

Ben Franklin
Life Insurance
Company in-
corporated.

SECTION 1. William Cogswell, Henry B. Dillenback, James F. Dickey and George W. Anderson, their associates and successors, are hereby made a corporation by the name of the Ben Franklin Life Insurance Company of Boston, to be located in the city of Boston; and said corporation is hereby granted all the powers, rights and privileges and is made subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force applicable to domestic life insurance corporations and not inconsistent with this act.

Guaranty capi-
tal stock.

SECTION 2. There shall be an original guaranty capital stock of the said corporation of five hundred thousand dollars, divided into shares of one hundred dollars each, all of which shall be subscribed for and paid in in money before the said corporation shall issue a policy of insurance. The funds of the company shall be chargeable with all its liabilities, except the guaranty capital, which shall not be deemed a liability in determining the financial condition thereof.

Directors, elec-
tion, etc.

SECTION 3. At the first meeting of the corporation eight directors shall be chosen by the subscribers to the guaranty capital stock, who shall hold office for one year and until others shall be chosen in their stead. At all subsequent elections of directors the number shall be such

as shall be provided by by-law of the corporation; and in case there be no provision on this subject the number shall be eight, one half of whom shall be elected by the subscribers to the guaranty capital stock and the other half by the assured, voting in separate bodies. The directors shall all be either stockholders or assured, and on ceasing to be such shall cease to hold such office.

SECTION 4. Whenever the net surplus of the corporation shall be sufficient for the purpose the stockholders shall be entitled to an annual dividend of eight per cent, and in case of such dividend not being made in any one year it shall be made good at a subsequent period, when the net surplus shall be sufficient therefor. Dividends.

SECTION 5. After providing for risks, losses, incidental expenses and dividends as aforesaid the directors shall set apart one fourth of the estimated net surplus as a reserve fund, to be applied to the redemption of the guaranty capital stock in whole or in part as the assured may by vote direct whenever after the expiration of ten years from the time of the organization of the company the amount of such fund shall be sufficient for the purpose and the assured shall so vote. Reserve fund.

SECTION 6. Upon the redemption and extinction of the guaranty capital stock under the provisions of section five of this act the directors shall be chosen by the assured. Directors to be chosen by assured upon redemption of guaranty capital stock.

Approved May 25, 1900.

AN ACT TO LEGALIZE THE PROCEEDINGS OF THE TOWN OF DRACUT AT ITS ANNUAL TOWN MEETING.

Chap. 356

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the town meeting held in the town of Dracut on the fifth day of March in the year nineteen hundred shall not be invalid by reason of any variance between the warrant for said meeting and the posted copies thereof, or by reason of any failure to post said copies in the places designated in the warrant, or by reason of any error or informality in the return of the officer to whom said warrant was directed, or in his doings thereon. Proceedings of town meeting of Dracut legalized.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1900.

Chap.357 AN ACT RELATIVE TO THE HOURS OF LABOR FOR CITY AND TOWN EMPLOYEES.

Be it enacted, etc., as follows:

1890, 344, § 3,
amended.

When to take
effect.

Section three of chapter three hundred and forty-four of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out the whole of said section and inserting in place thereof the following:— *Section 3.* This act shall take effect in any city or town upon its acceptance by a majority of the voters present and voting thereon by ballot at any annual election thereof, and it shall be submitted for such acceptance upon the petition of one hundred or more registered voters of any city, or of twenty-five or more registered voters of any town, filed with the city or town clerk thirty days or more before any annual election.

Approved May 31, 1900.

Chap.358 AN ACT TO RATIFY THE EXISTING INDEBTEDNESS OF THE FOXBOROUGH WATER SUPPLY DISTRICT AND TO AUTHORIZE THE REFUNDING OF A PART THEREOF.

Be it enacted, etc., as follows:

Indebtedness of
Foxborough
Water Supply
District con-
firmed.
May issue notes
or bonds.

SECTION 1. The indebtedness of the Foxborough Water Supply District for loans known as Foxborough Water Loan is hereby ratified, legalized and confirmed.

SECTION 2. The Foxborough Water Supply District is hereby authorized to issue notes or bonds to the amount of nine thousand dollars, for the purpose of refunding a like amount of notes now held by the treasurer of the Commonwealth, in accordance with the vote of said district passed at its annual meeting on the fifteenth day of January in the year nineteen hundred.

SECTION 3. This act shall take effect upon its passage.

Approved May 31, 1900.

Chap.359 AN ACT TO PROTECT MILK DEALERS AND CONSUMERS AGAINST THE UNLAWFUL USE AND DESTRUCTION OF MILK CANS AND OTHER RECEPTACLES.

Be it enacted, etc., as follows:

Description of
marks, devices,
etc., on certain
cans, jugs, etc.,
may be filed
and published,
etc.

SECTION 1. All persons and corporations engaged in buying, selling or dealing in milk or cream in cans, jugs, bottles or jars, with their names or other marks or devices, together with the word "registered", branded, engraved,

blown or otherwise produced in a permanent manner in or upon such cans, jugs, bottles or jars, may file in the office of the clerk of the city or town in which their principal place of business is situated, and also in the office of the secretary of the Commonwealth, a description of the name or names, mark or marks, device or devices so used by them, and cause such description to be published once each week for four weeks successively in a newspaper published in the city or town in which said description has been filed as aforesaid, except that where there is no newspaper published in such city or town then such publication may be made in any newspaper published in the county in which such city or town is situated.

SECTION 2. Whoever without the consent of the owner takes, detains or uses in his business, sells, disposes of, buys, conceals or traffics in any milk can, jug, bottle or jar, the owner of which has complied with the provisions relating thereto in section one of this act, shall be punished for the first offence by a fine not exceeding five dollars, or by imprisonment in the house of correction for a term not exceeding sixty days, for each can, jug, bottle or jar so taken, detained or used in his business, sold, disposed of, bought, concealed or trafficked in, and for any subsequent offence by a fine not exceeding ten dollars, or by imprisonment in the house of correction for a term not exceeding six months, for each can, jug, bottle or jar so taken, detained or used in his business, sold, disposed of, bought, concealed or trafficked in as aforesaid. Possession by any person in the transaction of his business of any such article the owner of which has complied with the provisions of section one of this act shall constitute prima facie evidence of the unlawful taking, use, detention, possession of or traffic in the same within the meaning of this act.

Penalty for the unauthorized use, etc., of certain milk cans, jugs, etc.

Possession to constitute prima facie evidence in certain cases.

SECTION 3. Whoever without the consent of any owner who has complied with the provisions of section one of this act wilfully destroys, mutilates or defaces any can, jug, bottle or jar bearing such owner's name, mark or device, or wilfully erases, mars, covers or changes any word or mark branded, engraved, blown or otherwise produced, in a permanent manner in or upon any such can, jug, bottle or jar, shall be punished for the first offence by a fine not exceeding five dollars, or by imprisonment in the house of correction for a term not exceeding sixty days,

Penalty for the unauthorized destruction, mutilation, etc., of certain cans, jugs, etc.

for each can, jug, bottle or jar so destroyed, mutilated or defaced, or for each can, jug, bottle or jar upon which any word or mark has been erased, marred, covered or changed as aforesaid; and for any subsequent offence by a fine not exceeding ten dollars, or by imprisonment in the house of correction for a term not exceeding six months, for each can, jug, bottle or jar so destroyed, mutilated or defaced, or for each can, jug, bottle or jar upon which any word or mark has been erased, marred, covered or changed as aforesaid.

Penalty for defiling certain milk cans, jugs, etc.

SECTION 4. Whoever puts any unclean or foul substance or matter into any milk can, jug, bottle or jar, the owner of which has complied with the provisions of section one of this act, shall be punished for the first offence by a fine of not less than fifty cents nor more than five dollars, for each can, jug, bottle or jar so defiled; and for any subsequent offence by a fine of not less than two dollars nor more than twenty dollars, for each can, jug, bottle or jar so defiled.

Proceedings to discover and obtain certain milk cans, jugs, etc., wrongfully in the possession of certain persons, etc.

SECTION 5. Whenever any person or corporation having complied with the provisions of section one of this act, or the agent of any such person or corporation, shall make oath before any justice of any municipal, police or district court, or before any trial justice, that he has reason to believe and does believe that any person or corporation has wrongfully in possession or is secreting any of his or its milk cans, jugs, bottles or jars, marked and described as provided in section one of this act, said justice or trial justice shall, if satisfied that there is reasonable cause for such belief, issue a search warrant to discover and obtain the same, and may also cause to be brought before him the person or an agent or employee of the corporation in whose possession such cans, jugs, bottles or jars are found, and shall thereupon inquire into the circumstances of such possession; and if said justice or trial justice finds that such person or corporation has been guilty of a wilful violation of sections two, three or four of this act he shall impose the penalty prescribed in the section or sections so violated, and shall also award to the owner possession of the property taken upon such search warrant.

SECTION 6. This act shall take effect upon its passage.

Approved May 31, 1900.

AN ACT TO PROVIDE FOR THE DISTRIBUTION AND SALE OF THE
ATLASES OF THE BOUNDARY LINES OF THE CITIES AND TOWNS OF
THIS COMMONWEALTH. *Chap.360*

Be it enacted, etc., as follows:

SECTION 1. The commissioners on the topographical survey and map of Massachusetts are hereby directed to make the following disposition of the atlases of the boundary lines of the various cities and towns in the Commonwealth:—As soon as the atlas of a city or town is published two copies shall be delivered to the city or town clerk for the use of the city or town officers, one copy to each public library in the city or town, one copy to the secretary of the Commonwealth, one copy to the state library, one copy to the commissioner of public records, one copy to the Boston public library, one copy to the United States geological survey, and ten copies shall be retained by the commissioners, to be distributed as they may deem best. The remainder shall be sold by said commissioners at such prices as may be fixed by them, the proceeds of such sales to be paid into the treasury of the Commonwealth.

Distribution and sale of atlases of boundary lines of cities and towns.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE CARE AND MAINTENANCE
OF RESERVATIONS, BOULEVARDS AND PARKWAYS UNDER THE CON-
TROL OF THE METROPOLITAN PARK COMMISSION. *Chap.361*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap-
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, to meet expenses
during the year ending on the thirty-first day of Decem-
ber in the year nineteen hundred.

Appropriations.

For care of reservations under the control of the metro-
politan park commission, a sum not exceeding eighty-five
thousand dollars.

Care of certain reservations.

For the care and maintenance of boulevards and park-
ways in charge of the metropolitan park commission, a
sum not exceeding forty-five thousand dollars.

Care, etc., of certain boulevards and parkways.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1900.

Chap.362 AN ACT TO PROVIDE FOR THE COMPLETION AND DECORATION OF
MEMORIAL HALL IN THE STATE HOUSE.

Be it enacted, etc., as follows:

Completion and
decoration of
Memorial Hall
in the state
house.

For the completion and decoration of Memorial Hall and the approaches thereto the governor, the lieutenant governor and the state house construction commissioners are hereby authorized to use the whole or any part of the balances remaining from the State House Construction Loan Fund and the State House Loan Fund, 1901, in addition to any unexpended part of the appropriation for Memorial Hall. The decorations herein provided for shall consist, so far as paintings are concerned, of subjects connected with the history of Massachusetts.

Approved May 31, 1900.

Chap.363 AN ACT RELATIVE TO LIFE INSURANCE.

Be it enacted, etc., as follows:

1894, 522, § 11,
amended.

Insurance
commissioner
to value policies
of life com-
panies annually.

Rules of
valuation.

SECTION 1. Section eleven of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the whole of said section and inserting in place thereof the following:—*Section 11.* He shall each year compute the reserve liability on the thirty-first day of December of the preceding year of every company authorized to make insurance on lives in this Commonwealth, in accordance with the rules following, namely:—

First. The net value on the last day of December of the preceding year of all outstanding policies of life insurance in the company issued before the first day of January in the year nineteen hundred and one shall be computed upon the basis of the "Combined Experience" or "Actuaries' Table" of mortality, with interest at four per cent per annum.

Second. The net value on the last day of December of the preceding year of all outstanding policies of life insurance issued after the thirty-first day of December in the year nineteen hundred shall be computed upon the basis of the "American Experience Table" of mortality, with interest at three and one half per cent per annum: *provided, however,* that any such life insurance company may at any time elect to reserve upon a three per cent basis, and thereupon its policies issued upon such reserve

shall be computed upon the basis of the "American Experience Table" of mortality, with interest at three per cent per annum.

Third. In every case where the actual premium charged for an insurance is less than the net premium for such insurance, computed according to its respective tables of mortality and rate of interest aforesaid, the company shall also be charged with the value of an annuity, the amount of which shall equal the difference between the premium charged and that required by the rules above stated, and the term of which in years shall equal the number of future annual payments due on the insurance at the date of the valuation.

Fourth. The aggregate net value so ascertained of all the policies of any such company shall be deemed its reserve liability, to provide for which it shall hold funds in secure investments of an amount equal to such net value above all its other liabilities.

To determine the liability upon its contracts of insurance of an insurance company, other than life and real estate title insurance, and the amount such company shall hold as a reserve for reinsurance, he may take fifty per cent or the actual unearned portion of the premiums written in its policies; but in respect to marine risks he shall compute the liability thereon by charging sixty per cent of the amount of premiums written in its policies upon yearly risks, and upon risks covering more than one passage not terminated, and the full amount of premiums written in policies upon all other marine risks not terminated: *provided*, that in the case of foreign fire and marine insurance companies with less than three hundred thousand dollars capital, admitted to transact fire insurance only in this Commonwealth, the full amount of premiums written in their marine and inland navigation and transportation insurance policies shall be charged as liability.

Rule for computation of reserves for reinsurance or policy liability.

Proviso.

He shall allow to the credit of an insurance company in the account of its financial condition only such assets as are immediately available for payment of losses in Massachusetts, but may credit any deposits or funds of the company set apart as security for a particular liability in set-off to the amount charged on account of such liability.

What assets are admissible.

He shall not allow stockholders' obligations of any description as part of the assets or capital of any stock in-

Not to allow stockholders' obligations unless secured.

insurance company, unless the same are secured by competent collateral.

1894, 522, § 75,
amended.

Distribution of
surplus.

SECTION 2. Section seventy-five of said chapter five hundred and twenty-two is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 75.* The directors of any domestic life insurance company, out of the funds remaining after providing for the reserve required under section eleven, and for all other liabilities, may from time to time make to policy holders not in arrears distributions of surplus not inconsistent with the terms of their policies. Such distributions to policy holders shall be made upon the contribution to surplus plan.

1894, 522, § 76,
amended.

Non-forfeiture
of policies.

SECTION 3. Section seventy-six of said chapter is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 76.* All policies issued prior to the first day of January in the year nineteen hundred and one by any domestic life insurance company shall be subject to the provisions of law limiting forfeiture, applicable and in force at the date of their issue. No policy of life or endowment insurance issued by any such company after the thirty-first day of December in the year nineteen hundred shall become forfeit or void for non-payment of premium after three full annual premiums have been paid thereon; but in case of default in the payment of any subsequent premium, then without any further stipulation or act such policy shall be binding upon the company for the amount of paid up insurance which the then net value of the policy and all dividend additions thereon, computed by the rule of section eleven, less any indebtedness to the company on account of said policy, and less the surrender charge provided herein, will purchase as a net single premium for life or endowment insurance maturing or terminating at the time and in the manner provided in the original policy contract; and such default shall not change or affect the conditions or terms of the policy, except as regards the payment of premiums and the amount payable thereon. Said surrender charge, unless fixed at a smaller rate by the policy, shall be five per cent of the present value of the future net premiums at the date of default, which by its terms said policy is exposed to pay in case of its continuance, computed upon the rate of mortality and interest assumed in section eleven. But any company may con-

Paid up and
cash surren-
der values, etc.

tract with its policy holders to furnish, in lieu of the paid up insurance provided for in this section, any other form of life insurance lawful in this Commonwealth, of not less value. Every such paid up policy shall have a cash surrender value, which shall be its net value, less any indebtedness to the company on account of said policy, and every policy which by its own terms has become paid up shall have a cash surrender value, which shall be its net value, less five per cent of one net premium, and the holder of any paid up policy may upon any anniversary of its issue surrender the same and claim and recover from the company such surrender value in cash. But no surrender of a policy shall be made without the written assent of the person to whom the policy is made payable. On policies of prudential or industrial insurance on which the weekly premiums are not more than fifty cents each the surrender value shall in all cases be payable in cash, which shall be a legal claim for not more than two years from the date of lapse. Any condition or stipulation in the policy or elsewhere contrary to the provisions of this section, and any waiver of such provisions by the insured, shall be void.

Certain policies to have a cash surrender value.

Payment to be in cash, etc.

SECTION 4. So much of any act as is inconsistent herewith is hereby repealed; but nothing herein shall be taken to affect or repeal chapter two hundred and twenty-nine of the acts of the year eighteen hundred and ninety-nine.

Repeal, etc.

SECTION 5. This act shall take effect upon its passage.

Approved June 1, 1900.

AN ACT TO AUTHORIZE THE CITY OF QUINCY TO EXPEND CERTAIN MONEY FOR SEWER CONSTRUCTION.

Chap. 364

Be it enacted, etc., as follows:

SECTION 1. The city of Quincy, for the purpose of extending its system or systems of sewers, is hereby authorized to expend any sums of money which may be paid to it by the metropolitan sewerage commissioners for the taking or sale of any of the city's property for the purposes of the south metropolitan sewer district. Chapter two hundred and seventy-nine of the acts of the year eighteen hundred and ninety-five and any act in amendment thereof shall apply to such expenditures, except as may be provided otherwise herein.

Certain money paid by the metropolitan sewerage commissioners may be expended for sewer extension, etc.

SECTION 2. The city of Quincy is hereby authorized to expend from time to time for the further extension of

Certain rates, payments, etc., may be ex-

pended for
sewer exten-
sion.

Proviso.

Repeal.

its system or systems of sewers any and all rates, assessments, and payments made in lieu thereof, received under said chapter two hundred and seventy-nine or any act in amendment thereof, and any other income which may be received from the sale of sewer property or in settlement of any claims or damages relating thereto: *provided*, that the city shall first pay from its receipts from said rates, assessments, and payments made in lieu thereof, all charges for the maintenance and operation of said system or systems and the interest upon all bonds, notes or scrip, and the debt becoming due, issued or incurred under authority of said chapter two hundred and seventy-nine.

SECTION 3. So much of any act as is inconsistent herewith is hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved June 1, 1900.

Chap. 365

AN ACT TO AUTHORIZE THE CITY OF WORCESTER TO ACQUIRE ADDITIONAL LAND AND RIGHTS FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Be it enacted, etc., as follows:

May take cer-
tain lands, ease-
ments, etc., for
increase of
water supply.

SECTION 1. The city of Worcester, for the purpose of building and maintaining additional dams, reservoirs and aqueducts upon its sources of water supply heretofore acquired, and of preserving and protecting the purity of the water, may take by purchase or otherwise, and hold in fee or otherwise, such lands upon which shall be no buildings at the time of such taking or purchase, easements and rights of way in the towns of Holden, Paxton and Leicester, as the city council of the city of Worcester may from time to time adjudge necessary.

By whom cer-
tain rights,
powers, etc.,
shall be exer-
cised.

SECTION 2. The rights, powers and authority given by this act shall be exercised by the city of Worcester by the same officers in whom are vested the rights, powers and authority given by chapter one hundred and four of the acts of the year eighteen hundred and sixty-four; and said city shall be entitled to all the rights and subject to all the duties and liabilities set forth in chapter three hundred and sixty-one of the acts of the year eighteen hundred and seventy-one, to be enforced in the manner provided in said chapter.

Worcester
Water Scrip.

SECTION 3. The city of Worcester, for the purpose of defraying all costs and expenses incident to the acts herein

authorized, and of reconstructing and improving its existing dams and reservoirs, and for any other necessary expenditures in connection with the improvement, development and extension of its water works, is hereby authorized to borrow from time to time such sums of money as the city council of said city shall vote, not exceeding in all one million dollars, and to issue therefor its notes, bonds or certificates of indebtedness, which shall be denominated on the face thereof, Worcester Water Scrip, and shall be payable at such time or times and shall bear such rate of interest as said council may determine, and shall not be reckoned in ascertaining the limit of indebtedness of said city, and, except as herein otherwise provided, shall be subject to the provisions of chapter twenty-nine of the Public Statutes and of acts in addition thereto and in amendment thereof.

SECTION 4. This act shall take effect upon its passage.

Approved June 1, 1900.

AN ACT TO LEGALIZE THE ELECTION OF LIBRARY TRUSTEES BY THE TOWN OF DRACUT. Chap.366

Be it enacted, etc., as follows:

SECTION 1. The election of the trustees of the town library of Dracut at the annual town meeting in the year nineteen hundred is hereby legalized.

Election of library trustees by town of Dracut legalized.

SECTION 2. This act shall take effect upon its passage.

Approved June 1, 1900.

AN ACT TO REVISE THE CHARTER OF THE CITY OF LYNN.

Chap.367

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the city of Lynn shall continue to be a municipal corporation, under the name of the City of Lynn, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties, liabilities and obligations provided for herein or otherwise pertaining to or incumbent upon said city as a municipal corporation.

City of Lynn.

SECTION 2. The government of the city and the general management and control of all the fiscal, prudential and municipal affairs thereof shall be vested in a single officer, to be called the mayor, and in a legislative body, to be called the city council, except however that the

Management of municipal affairs, etc.

general management and control of the public schools of the city and of the buildings and property pertaining to such schools shall be vested in a school committee.

Seven wards.

SECTION 3. The territory of the city shall continue to be divided into seven wards, which shall retain their present boundaries until the same shall be changed under the general law relating thereto, in any year fixed by law for a new division of wards in cities, by vote of the city council, approved by the mayor, at or prior to the making of such division; but the number of wards shall never be less than seven.

Meetings of qualified voters.

SECTION 4. All meetings of the qualified voters of the city for the purpose of voting at elections and for other municipal or legal purposes shall be called in the manner provided by law.

Municipal election and municipal year.

SECTION 5. The municipal election shall take place annually on the second Tuesday of December, and the municipal year shall begin at half past seven o'clock in the evening on the first Monday of January and continue until half past seven o'clock in the evening on the first Monday of the following January.

Ward rooms for caucuses.

SECTION 6. The city shall have power to expend money for hiring ward rooms to be used for caucuses of its citizens to nominate candidates preliminary to elections.

Election of mayor, members of city council, etc.

SECTION 7. At the municipal election the qualified voters shall, in the several wards, give in their votes by ballot for mayor and for members of the city council and of the school committee, or for such of them as are to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons up to the number required to be chosen receiving the highest number of votes shall be deemed and declared to be elected.

Vacancy in office of mayor or in city council.

SECTION 8. If it shall appear that there is no choice of mayor, or if the person elected to that office shall refuse to accept the office, or shall die before qualifying, or if a vacancy in the office shall occur more than six months previous to the expiration of the term of office, the board of aldermen shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of mayor; and such proceedings shall be repeated

until the election of a mayor is completed. If the full number of members of the city council then required to be chosen shall not be elected at the annual municipal election, or if a vacancy in the office of a member thereof shall occur more than six months previous to the expiration of his term of office, the board of aldermen shall forthwith cause a new election to be held to fill the vacancy. In case a vacancy in the office of mayor or of a member of the city council shall occur within the six months previous to the expiration of his term of office the city council may, in its discretion, order a new election to be held to fill the vacancy.

SECTION 9. General meetings of the inhabitants of the city may from time to time be held according to the right secured to the people by the constitution of the Commonwealth, and such meetings shall be duly warned by the mayor and aldermen upon the request in writing of one hundred qualified voters setting forth the purpose thereof.

General meetings of inhabitants.

SECTION 10. The city council shall be composed of two branches, one of which shall be called the board of aldermen and the other the common council. The board of aldermen shall be composed of eleven members, who shall be elected annually, at large, by and from the qualified voters of the city:—One from ward one, one from ward two, two from ward three, two from ward four, two from ward five, two from ward six and one from ward seven. The common council shall be composed of twenty-five members, who shall be elected annually from the qualified voters of each ward:—One from ward one, two from ward two, five from ward three, five from ward four, five from ward five, five from ward six and two from ward seven, and they shall hold office for the municipal year next succeeding their election. The city council may in any year fixed by law for a new division of wards apportion the members of the common council among the several wards as nearly as may be on the basis of population, and the qualified voters of each ward shall elect from among their number as many members of the common council as shall be apportioned to the ward.

City council, election, term, etc.

SECTION 11. The mayor elect and the members elect of the city council shall on the first Monday in January succeeding their election, at half past seven o'clock in the evening, assemble and be sworn to the faithful discharge of their duties by the city clerk or by any justice of the

Oath of office of mayor and members of city council, etc.

peace. In case of the absence of the mayor elect on the first Monday in January, or if a mayor shall be elected subsequently, the oath of office may at any time thereafter be administered to him in presence of the city council; and at any time after the first Monday in January the oath of office may be administered in presence of either branch of the city council to any member of such branch who was absent on the first Monday in January, or who shall be subsequently elected. A certificate that such oath has been taken by the mayor shall be entered in the journal of both branches of the city council, and in the journal of each branch shall be entered a certificate that the oath has so been taken by the members of that branch.

Organization of
each branch of
city council,
etc.

SECTION 12. Immediately after the oaths of office have been administered each branch of the city council shall meet and organize by the election by ballot of a president, and no other business shall be in order until a president has been chosen. In the absence of the mayor the president of the board of aldermen shall preside at all meetings of the board and in joint convention of both branches of the city council. The city clerk shall also be the clerk of the board of aldermen, but in case of his temporary absence or of a vacancy in the office the board of aldermen may elect a temporary clerk by ballot, who shall be sworn to the faithful discharge of his duties and may act as clerk of the board until a city clerk is chosen and qualified. The common council shall elect its own clerk, who shall be sworn to the faithful discharge of his duties in the presence of the common council. Each clerk shall attend the sessions of the branch for which he is elected, shall keep a record of its proceedings, and shall perform such further service as such branch may require. The president of the board of aldermen may be removed from office by the affirmative vote of three fourths of all the members of said board. The president and clerk of the common council may each be removed by the affirmative vote of three fourths of all the members of the common council. In case of the temporary absence or disability of the city clerk the board of aldermen may elect a city clerk pro tempore, who shall be duly sworn. In case of a vacancy in the office of city clerk the same shall be filled by the city council.

Certain officers
may be re-
moved, etc.

Each branch of
city council to
determine rules
for its proceed-
ings, etc.

SECTION 13. Each branch of the city council shall be judge of the election and qualifications of its members,

shall determine the rules for its proceedings, and may appoint such assistant clerks and other officers as may be necessary for the proper conduct of its business.

SECTION 14. The mayor may at any time call a special meeting of the city council, or of either branch thereof, and shall call a special meeting of either branch upon the request in writing of one third of the members of that branch. Such request shall state the subjects to be considered at the meeting. The mayor shall cause a written notice of any meeting called under this section, stating the subjects to be considered thereat, to be left at the residence of each member previous to the time appointed for the meeting, and no final action shall be taken at such special meeting on any business not stated in the notice.

Special meetings of city council.

SECTION 15. In each branch of the city council a majority of the whole number of members provided to be elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. The two branches shall sit separately for the transaction of all business, except as herein otherwise provided, and shall not both take action on the same day upon a matter involving the appropriation or expenditure of money, except by the votes of two thirds of the members of each branch present and voting thereon by a yeas and nays vote.

Quorum, etc.

SECTION 16. The city council shall by ordinance determine the salary of the mayor, and may in like manner change such salary from time to time, but no ordinance changing the salary shall take effect until the municipal year succeeding that in which the ordinance is passed.

Salary of mayor.

SECTION 17. The city council may by ordinance provide for the payment of salaries to the members of either branch of the city council, but no ordinance establishing a salary or increasing a salary already established shall take effect until the municipal year succeeding that in which the ordinance is passed. The existing salaries of the members of the board of aldermen are hereby legalized.

Salaries of members of city council, etc.

SECTION 18. All votes of the city council making appropriations or loans of money shall be by a yeas and nays vote and in itemized form, and when brought before the city council, on recommendation of the committee on finance, as provided in section thirty-one of this act, no item of the appropriation or loan in excess of the amount recommended by the committee on finance shall be passed,

Votes of city council making appropriations, etc.

except by the affirmative votes of two thirds of the members of each branch present and voting thereon.

Certain sittings of board of aldermen may be private.

SECTION 19. The board of aldermen may hold private sittings for the consideration of nominations by the mayor, but all other sittings of either branch, or in joint convention, shall be public, and all votes on confirmation of appointments by the mayor shall be taken in public.

Members of city council not to hold other city offices, etc.

SECTION 20. No member of the city council shall during the term for which he is elected hold any other office or position the salary or compensation for which is payable from the city treasury, nor shall he act as counsel or attorney before the city council, or before either branch, or before any committee thereof.

City council may establish ordinances, affix penalties, etc.

SECTION 21. The city council shall have power within said city to make and establish ordinances and affix penalties for the violation thereof, as herein or by general law provided, without the sanction of any court or of any justice thereof. All ordinances so made and established shall be published forthwith in one or more newspapers designated by the mayor, and they shall, unless they contain an express provision for a later date, take effect at the time of their approval by the mayor, or, if a penalty for their violation is provided, at the expiration of thirty days from the date of such approval. The ordinance entitled "An ordinance for the prevention of fire and the preservation of life" passed on the twenty-sixth day of June in the year eighteen hundred and eighty-eight, and all ordinances in amendment thereof, are hereby legalized, and the same may be amended from time to time by the city council.

Certain ordinances legalized, etc.

Streets, highways, etc.

SECTION 22. The city council shall, subject to the approval of the mayor, have exclusive authority to order the laying out, locating anew and discontinuing of, and the making of specific repairs in, all streets, highways and other ways within the limits of the city, to assess the damages sustained thereby by any person, and, except as otherwise provided herein, to act in matters relating to such laying out, locating anew, altering, discontinuing or repairing; but in all such matters action shall first be taken by the board of aldermen.

City council, powers and duties.

SECTION 23. Except as otherwise provided herein the city council shall in general have and exercise the legislative powers of towns and of the inhabitants thereof, and shall have all the powers and authority given to city

councils under the general laws of the Commonwealth, and be subject to the duties imposed on city councils; and the board of aldermen shall have and exercise all the powers, other than executive, given to the selectmen of towns, and shall have all the powers and authority given to boards of aldermen of cities, and shall be subject to the duties imposed upon such boards.

SECTION 24. The mayor shall be elected annually from the qualified voters of the city, and shall hold office for the municipal year next succeeding his election and until his successor is elected and qualified, except that when elected to fill a vacancy he shall hold office only for the unexpired term and until his successor is elected and qualified.

Mayor, election, etc.

SECTION 25. The mayor shall be the chief executive officer of the city, and the executive powers of the city shall be vested in him and be exercised by him, either personally or through the several officers and boards in their respective departments, under his general supervision and control. He may preside in joint convention of both branches of the city council.

Executive powers vested in mayor, etc.

SECTION 26. The mayor shall communicate to the city council or to either branch such information and shall recommend such measures as in his judgment the interests of the city require; shall cause the laws, ordinances and orders for the government of the city to be enforced; and shall secure an honest, efficient and economical conduct of the executive and administrative business of the city, and the harmonious action of the different administrative and executive departments.

Enforcement of laws, etc.

SECTION 27. In case of a vacancy in the office of mayor, or of his resignation, or of his absence from the Commonwealth or inability from any cause to perform the duties of his office, the president of the board of aldermen shall, under the style of acting mayor, exercise the powers and perform the duties of mayor, and in the absence of both the mayor and the president of the board of aldermen the president of the common council shall, under the style of acting mayor, exercise the powers and perform the duties of mayor, except that such acting mayor shall not, unless authorized thereto in a special instance by the city council, make any removal from office or permanent appointment, nor shall he, unless such disability of the mayor has continued at least ten days, or unless the office of

Who shall act in case of vacancy in office of mayor, etc.

mayor has become vacant, have power to approve or disapprove any ordinance, order, resolution or vote of the city council.

Mayor to appoint certain officers, etc.

SECTION 28. The mayor shall appoint, subject to confirmation by the board of aldermen, all the officers of the city herein named, unless their election or appointment is otherwise provided for herein. No appointment made by the mayor shall be acted upon by the board of aldermen until the expiration of one week from the time when the appointment is transmitted to the board, except by a vote of four fifths of the members of the board present and voting thereon. Any officer so appointed may be removed by the mayor, with the approval of the board of aldermen.

Mayor to call together heads of departments for consultation.

SECTION 29. The mayor shall as often as once in each month call together for consultation upon the affairs of the city the heads of departments, who shall whenever called upon furnish such information relative to their respective departments as he may request.

Committee on finance, powers and duties.

SECTION 30. There shall annually be chosen or appointed in each branch of the city council a committee on finance, consisting of the mayor and one alderman, the president of the common council, and two councilmen. The heads of departments, the school committee, and all other officers and boards having authority to expend money, shall submit to the committee on finance in the month of January of each year detailed estimates of the amounts deemed by them to be necessary for their respective departments for the financial year, which shall begin on the twentieth day of the preceding December, and the committee shall as soon as may be thereafter transmit such estimates to the city council, recommending such appropriations for each department or purpose as it deems necessary therefor.

Sums appropriated for a specific purpose not to be expended for any other purpose, etc.

SECTION 31. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made and no liability incurred by or in behalf of the city until the city council has duly voted an appropriation sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable therefrom, except that after the expiration of the financial year and before the making of the regular annual appropriations liabilities payable out of the regular appropriation may be incurred to an amount not exceeding one fourth of the total appropriation made for

similar purposes in the preceding year: *provided*, that at any time the unexpended balance of any sum appropriated for a specific purpose and not further required for such purpose may be transferred to another account by vote of the city council; and *provided, further*, that nothing herein contained shall be taken to prohibit the payment of executions against the city, at any time. Provisos.

SECTION 32. The mayor shall annually require all boards and officers intrusted with the receipt or expenditure of public money or with the care and custody of public property to make particular and detailed statements thereof, and shall cause such statements to be published on or before the first day of March for the information of the citizens. Statements of receipts and expenditures to be published, etc.

SECTION 33. The mayor shall have sole power to sign, seal, execute and deliver in behalf of the city, deeds and leases of lands sold or leased by the city, and other deeds, agreements, contracts, leases, indentures, assurances and other instruments on behalf of the city, except as otherwise provided herein. Mayor to have sole power to sign, seal, etc., certain deeds, etc.

SECTION 34. There shall be the following administrative officers, who shall perform the duties prescribed by law for them respectively, and such further duties, not inconsistent with the nature of their respective offices and with general law, as the city council may prescribe: — Administrative officers.

- | | |
|----------------------------|---------------------|
| I. A city clerk. | City clerk. |
| II. A city treasurer. | City treasurer. |
| III. A collector of taxes. | Collector of taxes. |
| IV. A city auditor. | City auditor. |

The officers above specified shall be elected by the city council annually. The offices of city treasurer and collector of taxes may be held by the same person. To be elected by city council annually, etc.

V. A board of overseers of the poor, consisting of six persons, who shall be elected by the city council for a term of three years; two to be elected each year as the respective terms of office of the present incumbents expire, and two each year thereafter. Overseers of the poor.

VI. A city engineer, who shall be elected by the city council for the term of one year. City engineer.

VII. A city physician, who shall be appointed for the term of three years. City physician.

VIII. A board of health, consisting of three persons. Board of health.
Of this board the city physician shall be ex officio a member. The two other members shall be appointed each for

a term of three years, as the respective terms of office of the present incumbents expire, each appointment thereafter to be for a term of three years.

Public water board.

IX. A public water board, consisting of five persons, who shall be elected by the city council for the term of five years; one to be elected each year as the respective terms of office of the present incumbents expire, and one each year thereafter.

Park commissioners.

X. A board of park commissioners, consisting of five persons, who shall be appointed by the mayor for the term of five years, and confirmed by the city council; one to be appointed each year as the respective terms of office of the present incumbents expire, and one each year thereafter. Said board shall have exclusive care and control of all parks and, except as otherwise provided herein, of all public grounds except cemeteries and burial grounds. No part of the common shall be let or sold.

Sinking fund commissioners.

XI. A board of sinking fund commissioners, consisting of three persons, who shall be elected by the city council for the term of three years; one to be elected each year as the respective terms of office of the present incumbents expire, and one each year thereafter.

Board of public works.

XII. A board of public works, consisting of three persons. The members thereof shall be elected at the next municipal election by the qualified voters in the several wards, by ballot; one for one year, one for two years and one for three years; each succeeding election thereafter to be for the term of three years. Said board shall exercise the powers of surveyors of highways, and shall also, under the control and subject to the direction of the city council, have charge of the construction, maintenance and repair of all streets, highways and other ways, and of all sidewalks, bridges and sewers, the supervision and care of wires, municipal signal systems, and of shade trees, the supervision of street lighting and of street watering, and the care of all buildings belonging to the city and of the grounds used in connection therewith, other than school buildings and the public library building. Said board shall have full supervision, subject to the direction of the city council, of the erection of all public buildings, including school buildings, and of all repairs and alterations of the same, except as is otherwise provided herein. No department of the city and no corporation or person shall at any time open, dig up or otherwise obstruct any street,

highway or sidewalk in the city, or lay pipes or erect or maintain poles or any other structure within the location of any such street, highway or sidewalk, without the consent of said board in writing previously obtained, except in the case of an emergency. The city council may by ordinance enlarge, alter or diminish the powers of said board.

XIII. The city council may from time to time, subject to the provisions of this act and in accordance with general laws, establish additional boards and other offices for municipal purposes, provide for the election or appointment of the incumbents thereof, and determine the number and duties of such incumbents; and for such purposes may delegate to such boards and offices the administrative powers given by general laws to city councils and boards of aldermen. The city council may likewise from time to time consolidate boards and offices, and may separate and distribute the powers and duties of such as have already been established, may increase or diminish the number of persons who shall perform the duties of an office or board hereafter established as above provided, and may abolish an office or board hereafter established under the provisions of this paragraph. All officers named herein, whether elected by the city council or appointed by the mayor, shall be elected or appointed during the month of March, and their terms of office shall begin on the first Monday in April following their election or appointment and continue for the respective terms herein provided, or, in case of offices hereafter established, for the terms provided by the city council, except that the terms of all officers heretofore elected or appointed shall continue according to the tenure thereof. Any such officer not elected or appointed during the month of March may be elected or appointed at any time thereafter, the term of office in such case to begin forthwith and to terminate at the same time it would have terminated if said officer had been elected or appointed in March. All officers, whether heretofore elected or appointed, or elected or appointed hereunder, shall, except in case of removal, continue in office until their successors are elected, or appointed, and qualified. Upon the resignation, removal or disability of any officer the vacancy may be filled for the unexpired part of the term, by election or appointment, as above provided for the several officers.

Additional boards and offices may be established, etc.

Boards and offices may be consolidated, etc.

Terms of office of certain officers, etc.

Vacancies in certain offices.

Election and removal of certain officers.

All officers provided by this act or by ordinance to be elected by the city council shall be elected by concurrent vote of both branches thereof. Any officer so elected may be removed by the affirmative votes of three fourths of all the members of each branch of the city council in concurrence.

Administrative officers, oaths, etc.

SECTION 35. All administrative officers shall be sworn to the faithful discharge of their respective duties, and certificates of their oaths shall be made and kept in the office of the city clerk; and all administrative boards and other officers shall keep a record of their official transactions, and such record shall be open to public inspection.

Assessors, election, terms.

SECTION 36. There shall be a board of assessors, consisting of three persons, who shall be elected for three years by and from the qualified voters of the city; one to be elected each year as the respective terms of office of the present incumbents expire, and one each year thereafter. There shall be appointed by the board of assessors from the qualified voters of each ward one or more assistant assessors. The assistant assessors shall hold their offices for one year or until their successors are appointed, and shall perform such services as may be required of them by the board of assessors.

Certain officers to give bonds, etc.

SECTION 37. The city council shall require the city treasurer, the collector of taxes, and the city auditor, to give bonds, with such surety or sureties as it shall deem proper, for the faithful discharge of their respective duties, and may require any other municipal officer intrusted with the receipt, care or disbursement of money, to give such bond.

Administrative officers, etc., may appoint or remove clerks, etc.

SECTION 38. The administrative boards and officers above specified, and every administrative board and officer hereafter established by the city council under the provisions of this act and having the charge of a department, shall have the power, except as is herein otherwise provided, to appoint and employ and to discharge and remove all subordinate officers, clerks and assistants in their respective departments; and they shall keep a record, subject to inspection, of all persons so appointed and employed, and of all persons discharged and removed, and in case of discharge and removal, of the grounds therefor.

Employment of labor, making of contracts, etc.

SECTION 39. The several administrative boards and officers having charge of departments shall, within their respective departments, employ all labor, make and execute

all necessary contracts, purchase all materials and supplies, and shall in general have the immediate direction and control of all executive and administrative business. They shall at all times be accountable for the proper discharge of their duties to the mayor as the chief executive officer of the city. All contracts made in behalf of the city in which the amount involved exceeds one hundred dollars shall, in order to be valid, be signed by the mayor, and, except as is herein otherwise provided or is by law required, no expenditure shall be made or liability incurred for any purpose beyond the appropriations previously made therefor.

SECTION 40. The city council may establish and maintain a police department, and provide for the appointment of a chief of police and of other members of the police force by the mayor, subject to the confirmation of the board of aldermen, or by a police board established by ordinance.

Police department.

SECTION 41. The city council may establish and maintain a fire department, and shall, as soon as this act takes effect, provide by ordinance for the organization and government of the department.

Fire department.

SECTION 42. Every administrative board, through its chairman or a member designated by the board, and every officer having charge of a department, may appear before the city council, and at the request of either branch shall appear before it, and give information in relation to anything connected with the discharge of the duties of such board or office; and the officer who appears shall have the right to speak upon all matters under consideration relating to his department.

Officers to give certain information upon request, etc.

SECTION 43. The city council shall establish by ordinance the salary or compensation of every administrative officer, but after the first municipal year succeeding the acceptance of this act no ordinance changing any such salary or compensation shall take effect until the municipal year succeeding that in which the ordinance is passed.

City council to establish salaries, etc.

SECTION 44. The management and control of the schools of the city shall be vested in the school committee, consisting of twelve members at large, who shall be elected by the qualified voters of the whole city, in the manner hereinafter provided. Said twelve members at large shall be chosen for the term of three years; four to be chosen each year as the respective terms of office of the present incumbents expire, and four each year thereafter.

School committee, election, term, etc.

Not more than two members at large shall be elected from any one ward.

Vacancy in school committee.

SECTION 45. In case of a vacancy in the office of a member of the school committee the mayor shall call a joint convention of the board of aldermen and of the school committee, at which the mayor or president of the board of aldermen shall preside, and such vacancy shall, by vote of a majority of all the members of the two bodies, be filled by the election of a member at large to serve for the remainder of the school year. At the next municipal election thereafter a member at large shall be elected by the qualified voters of the whole city, to serve for the remainder of the unexpired term of the member whose office is vacant.

Organization, to determine rules for its proceedings, etc.

Quorum, etc.

SECTION 46. The school committee shall meet on the Tuesday next after the first Monday in January in each year for organization. The committee shall be the judge of the election and qualifications of its members, and shall determine the rules for its proceedings. A majority of the whole number provided to be elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. The members of the school committee shall be sworn to the faithful discharge of their duties.

May elect a superintendent of schools, appoint subordinate officers, etc.

SECTION 47. The school committee may elect a superintendent of schools, and may appoint such other subordinate officers and assistants as it may deem necessary for the proper discharge of its duties and the conduct of its business, shall define their terms of service and their duties, and fix their compensation, and may remove and discharge them at pleasure. No member of the school committee shall during the term for which he is elected hold any other office or position the salary or compensation for which is payable out of the city treasury.

To have care of school buildings, etc.

SECTION 48. The school committee, in addition to the exercise of the powers and the discharge of the duties imposed by law upon school committees, shall have full power and authority to provide, when necessary, temporary accommodations for school purposes, and shall have the care and control of all school buildings, including ordinary repairs thereof, and of the grounds connected therewith.

Liabilities and expenditures.

SECTION 49. Unless thereto required or authorized by law the school committee shall cause no liability to be

incurred and no expenditure to be made for any purpose beyond the specific appropriation made therefor by the city council, except that, after the expiration of the financial year and before the making of the regular annual appropriations, liabilities payable out of a regular appropriation may be incurred to an amount not exceeding one fourth of the total appropriation made for similar purposes in the preceding year.

SECTION 50. All orders, resolutions and votes of the school committee which involve the expenditure of money shall be presented to the mayor for his approval, and thereupon the same proceedings shall be had as are provided by law in relation to similar orders, resolutions and votes of the city council.

Certain orders, resolutions, etc., to be presented to mayor for approval.

SECTION 51. The removal of any member of the city council or of the school committee from one ward to another ward of the city shall not disqualify him from discharging the duties of his office for the remainder of the term for which he was elected.

Removal from one ward to another not to disqualify.

SECTION 52. So much of any ordinance of the city of Lynn as is inconsistent herewith is hereby annulled. Otherwise such ordinances are continued in force until amended or repealed.

Certain ordinances to continue in force, etc.

SECTION 53. So much of any act as is inconsistent herewith is hereby repealed, but such repeal shall in no case revive an act heretofore repealed, nor shall the repeal of acts or annulling of ordinances, or any part thereof, inconsistent herewith, affect any act done or liability incurred, or any right accrued or established, or any suit or prosecution, civil or criminal, to enforce any right or penalty or punish any offence begun under the authority of any act or part thereof so repealed or of any ordinance founded thereon.

Repeal, etc.

SECTION 54. This act shall be submitted to the qualified voters of the city of Lynn for acceptance at the next state election, and the affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance.

To be submitted to voters at state election, etc.

SECTION 55. So much of this act as authorizes the submission of the question of its acceptance to the voters of the city shall take effect upon its passage, but it shall not further take effect until accepted by the voters of the city as herein provided, and when so accepted this act shall take effect so far as to authorize the election at the

When to take effect.

next annual municipal election of all officers herein provided to be elected by the qualified voters of the city, or of its several wards, and shall take full effect on the first Monday in January next following such acceptance.

Approved June 1, 1900.

Chap.368 AN ACT RELATIVE TO THE WORK OF THE DAIRY BUREAU OF THE STATE BOARD OF AGRICULTURE.

Be it enacted, etc., as follows :

General agent
of dairy bureau
to be elected,
etc.

SECTION 1. The state board of agriculture shall at its annual meeting elect a general agent of the dairy bureau, to assist the bureau and to oversee, under its direction, the work prescribed in section eleven of chapter four hundred and twelve of the acts of the year eighteen hundred and ninety-one. He shall receive an annual salary of twelve hundred dollars, and also the amount of his expenses necessarily incurred in the discharge of his duties.

Repeal.

SECTION 2. Section six of said chapter four hundred and twelve, and so much of any other act as is inconsistent herewith, are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved June 6, 1900.

Chap.369 AN ACT RELATIVE TO THE SEALING OF BOTTLES AND CANS USED BY MILKMEN.

Be it enacted, etc., as follows :

Cans, bottles,
etc., used by
milkmen to be
sealed as meas-
ures.

SECTION 1. Cans, bottles and other receptacles used for the distribution of milk or cream to the consumer shall be sealed as measures, under the provisions of section twelve of chapter sixty-five of the Public Statutes; and no fee shall be charged or received for sealing the same.

When to take
effect.

SECTION 2. This act shall take effect in cities on the thirty-first day of December of the current year, and in towns on the first day of March in the year nineteen hundred and one.

Approved June 6, 1900.

Chap.370 AN ACT TO AUTHORIZE THE TOWN OF HOPKINTON TO ISSUE NOTES, BONDS OR SCRIP FOR THE PURPOSE OF PURCHASING LAND AND ERECTING AND FURNISHING A TOWN HALL.

Be it enacted, etc., as follows :

Hopkinton
Town Hall
Loan.

SECTION 1. The town of Hopkinton, for the purpose of purchasing land and erecting and furnishing a town hall,

is hereby authorized to issue notes, bonds or scrip, to be denominated on the face thereof, Hopkinton Town Hall Loan, to an amount not exceeding thirty thousand dollars, and payable at periods not exceeding thirty years from the dates of issue; and the sum so borrowed, with the interest thereon, shall be provided for by taxation and paid at maturity.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof shall apply to said loan, except so far as they may be inconsistent herewith.

SECTION 3. This act shall take effect upon its passage.

Approved June 6, 1900.

AN ACT TO PROVIDE FOR THE COLLECTION OF COLLATERAL LEGACY TAXES IN CERTAIN CASES.

Chap. 371

Be it enacted, etc., as follows:

SECTION 1. When a foreign executor, administrator or trustee assigns or transfers any stock or obligation owned by a deceased non-resident at the date of his death in any national bank located in this Commonwealth or in any corporation organized under the laws of this Commonwealth, and liable to a tax under the provisions of chapter four hundred and twenty-five of the acts of the year eighteen hundred and ninety-one, the tax shall be paid to the treasurer and receiver general on the assignment or transfer thereof, and if such tax is not paid when due such executor, administrator or trustee shall be personally liable therefor until the same is paid. If any bank located in this Commonwealth or any corporation organized under the laws of this Commonwealth shall record a transfer of any share of its stock or of its obligations made by a foreign executor, administrator or trustee, or issue any new certificate for any share of its stock or of the transfer of any obligation at the instance of a foreign executor, administrator or trustee, before all taxes imposed thereon by the provisions of said chapter four hundred and twenty-five have been paid, such bank or corporation shall be liable for such tax in an action of contract brought by the treasurer and receiver general to recover the same.

Tax on certain stock or obligation of a deceased non-resident transferred by a foreign executor, etc.

SECTION 2. No safe deposit company, bank or other institution, person or persons, holding securities or assets belonging to the estate of a deceased non-resident, shall

Treasurer to be notified of time and place of intended delivery to certain

foreign executors, etc., of securities and assets of a deceased non-resident, etc.

deliver or transfer the same to a foreign executor, administrator or legal representative of said decedent, unless such executor, administrator or legal representative has been licensed to receive such securities or assets under the provisions of section three of chapter one hundred and forty-two of the Public Statutes, without serving notice upon the treasurer and receiver general of the time and place of such intended delivery or transfer at least seven days before the time of such delivery or transfer. The treasurer and receiver general, either personally or by representative, may examine such securities or assets at the time of such delivery or transfer. Failure to serve such notice or to allow such examination shall render such safe deposit company, bank or other institution, person or persons, liable to the payment of the tax due upon said securities or assets in an action of contract brought by the treasurer and receiver general.

Treasurer to be made a party to certain petitions by foreign executors, etc.

SECTION 3. The treasurer and receiver general shall be made a party to all petitions by foreign executors, administrators or trustees brought under section three of chapter one hundred and forty-two of the Public Statutes, and no decree shall be made upon any such petition unless it appears that notice of such petition has been served on the treasurer and receiver general at least fourteen days before the return day of such petition.

SECTION 4. This act shall take effect upon its passage.

Approved June 7, 1900.

Chap. 372 AN ACT RELATIVE TO APPEALS AND EXCEPTIONS AT COMMON LAW AND IN EQUITY.

Be it enacted, etc., as follows:

P. S. 150, § 16, amended.

If question is not entered, etc., exceptions may be overruled or appeal dismissed, etc., upon application of adverse party.

SECTION 1. Section sixteen of chapter one hundred and fifty of the Public Statutes is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 16.* If a party who has taken an appeal or an exception which has been allowed, either at common law or in equity, neglects to enter the question in the supreme judicial court, or to take the necessary steps, by ordering proper copies to be prepared or otherwise, for the hearing of the cause on the appeal or the exceptions, the court in which the appeal was taken or the exceptions were allowed may, upon the application of the adverse party, upon due notice to all parties inter-

ested, order that the exceptions be overruled or the appeal dismissed, and the judgment, opinion, order or decree affirmed.

SECTION 2. In any case, either at common law or in equity, a waiver in writing of the appeal or exceptions, before the transfer to the appellate court and entry therein of the proper copies, may be filed and acted upon in the court in which the appeal was taken or the exceptions were allowed.

Waiver of appeal or exceptions may be filed, etc.

SECTION 3. The fee for entry, record and transmission of papers of each question or cause in the supreme judicial court for the Commonwealth shall be three dollars.

Fee for entry, etc.

SECTION 4. So much of any act as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 5. This act shall take effect upon its passage.

Approved June 7, 1900.

AN ACT TO PROVIDE FOR THE APPEARANCE OF THE ATTORNEY-GENERAL BEFORE COMMITTEES OF THE GENERAL COURT IN CERTAIN CASES.

Chap. 373

Be it enacted, etc., as follows:

SECTION 1. Whenever the attorney-general shall so be requested by vote of a majority of the members of a committee of the general court, or of either branch thereof, he or some person designated by him for that purpose shall appear before such committee and shall advise the committee with reference to the legal effect of legislation pending before the committee.

Attorney-general to appear before legislative committees in certain cases.

SECTION 2. The attorney-general shall include in his annual report to the general court a statement of his doings under this act, with such suggestions and recommendations as he may deem expedient.

Statement of doings, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 7, 1900.

AN ACT RELATIVE TO NATURALIZATION.

Chap. 374

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and forty-five of the acts of the year eighteen hundred and eighty-five is hereby amended by striking out the words "but final action thereon shall be had only on stated days or during the regular terms of the court. Every applica-

1885, 345, § 2, amended.

Final applica- tion for natural- ization, time of filing, etc.	<p>tion shall be entered upon the docket of the court and shall be filed at least fourteen days before final action thereon", in the third, fourth, fifth, sixth and seventh lines, and inserting in place thereof the following: — Every application shall be entered upon the docket of the court, and final action thereon shall be had at any regular sitting of the court, — so as to read as follows: — <i>Section 2.</i> Final applications for naturalization in any court of the Commonwealth may be filed in the said courts in term time or vacation. Every application shall be entered upon the docket of the court, and final action thereon shall be had at any regular sitting of the court. Such application shall contain the name, age and occupation of the applicant, and the name of the street and number of the house in which he resides, and the names of the persons whom he intends to summon as witnesses at his final hearing, together with the number and street of the residences of such witnesses: <i>provided</i>, that in applications where the number and street as required aforesaid cannot be given, the place of residence shall be described with sufficient accuracy for identification.</p>
To contain name, residence, etc., of appli- cant, etc.	<p><i>SECTION 2.</i> Sections three and four of said chapter are hereby repealed.</p>
Proviso.	<p><i>SECTION 3.</i> Section six of said chapter is hereby amended by striking out the words "The fee of clerks of cities and towns for the record, posting notice and certificate under the provisions of this act shall be fifty cents", in the fifteenth, sixteenth, seventeenth and eighteenth lines, — so as to read as follows: — <i>Section 6.</i> The fees of clerks of all courts under the provisions of this act shall be as follows: For receiving the primary declaration or application for the naturalization of aliens, one dollar. For the final declaration or application for the naturalization of aliens, two dollars. For making out the papers for either of said declarations, one dollar. All fees received by clerks of all courts of the Commonwealth in naturalization cases shall be accounted for and paid over by said clerks semi-annually to the treasurers of their respective counties, and such county treasurers shall pay the same to the treasurers of county law libraries; the same to be in addition to the sums which such associations are now entitled to receive by law. No primary or final certificate shall issue until the fees provided for in this act are first paid.</p>
Repeal.	<p><i>Approved June 7, 1900.</i></p>
1885, 345, § 6, amended.	
Fees of clerks of courts.	
Fees to be paid over for benefit of county law libraries.	
Fees to be paid before certifi- cate issues.	

AN ACT RELATIVE TO THE CONSTRUCTION OF THE METROPOLITAN WATER WORKS. Chap. 375

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five and acts in amendment thereof or in addition thereto shall be held to include the construction, maintenance and operation of an aqueduct from the so-called Sudbury reservoir in Southborough to a point in the town of Weston, of a reservoir near the end of such aqueduct, and of pipes for connecting such aqueduct or reservoir with distributing pipes, reservoirs and other works under the control of the metropolitan water board, substantially in accordance with the plans and recommendations of the state board of health contained in their report to the general court of the year eighteen hundred and ninety-five.

1895, 488, etc.,
to include con-
struction, etc.,
of certain
aqueduct, etc.

SECTION 2. This act shall take effect upon its passage.

Approved June 8, 1900.

AN ACT RELATIVE TO THE SALE OF REAL ESTATE FOR THE PAYMENT OF TAXES. Chap. 376

Be it enacted, etc., as follows:

SECTION 1. Section forty of chapter three hundred and ninety of the acts of the year eighteen hundred and eighty-eight is hereby amended by striking out the whole of said section and inserting in place thereof the following:—
Section 40. If the taxes are not paid the collector shall, at the time and place appointed for the sale, sell at public auction the smallest undivided part of the real estate which will be sufficient to discharge the taxes and necessary intervening charges, or the whole of such estate therefor if no person offers to take an undivided part, and may, in his discretion, at such sale require an immediate deposit by the purchaser of such sum as the collector shall deem sufficient to insure good faith in the payment of the purchase money; and if the purchaser fails to make such deposit forthwith the sale shall be void and another sale may be made as hereinbefore provided.

1888, 290, § 40,
amended.

Sale of real
estate sufficient
to discharge
taxes and
charges author-
ized.

SECTION 2. This act shall take effect upon its passage.

Approved June 8, 1900.

Chap. 377 AN ACT TO AUTHORIZE THE TOWN OF WAKEFIELD TO CONSTRUCT
A SYSTEM OF SEWERAGE.

Be it enacted, etc., as follows :

Town of Wake-
field may con-
struct, etc., a
system of sew-
erage, etc.

SECTION 1. The town of Wakefield is hereby authorized, through a board of commissioners elected as hereinafter provided, to lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or for the whole of its territory, and such connections and other works as may be required for a system of sewage disposal, to be constructed, maintained and operated in connection with the main sewers and other works ; and said board, for the purpose of providing better surface or other drainage, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as it deems best. And for the said purpose the board may, within the limits of said town, deepen, widen and clear of obstruction any brook, stream or water course, and straighten or alter the channels or divert the waters thereof, and may lay, make and maintain sub-drains, and discharge the water into any brook, stream or water course within said town, provided that its action be approved by the state board of health.

Sewer commis-
sioners, elec-
tion, terms,
etc.

SECTION 2. Said board shall consist of three commissioners, to be called Sewer Commissioners of the Town of Wakefield, who shall be citizens and residents of the town and shall be elected by ballot at a special meeting or at an annual meeting of the town, one commissioner to hold office for one year, one for two years and one for three years, respectively, from the date of the annual town meeting at which he is elected, or which follows the special meeting at which he is elected, and until his successor is elected and qualified ; and at each annual town meeting thereafter the town shall elect one member of the board to serve for three years or until his successor is elected and qualified. If a vacancy shall occur in the board the town may at a meeting called for the purpose elect a person duly qualified to fill the vacancy.

Vacancy.

May take lands,
water rights,
etc.

SECTION 3. Said board of commissioners, acting in behalf of the town, shall have full power to take by purchase or otherwise any lands in fee and any water rights, rights of way and easements in said town, public or private, necessary for any of the purposes mentioned in this act, and may construct within said town such main drains

and sewers under or over any water course, bridge, railroad or way, or within the location of any railroad, and may enter upon and dig up and excavate any private land, street or way, or railroad location, for the purpose of laying such main drains and sewers, and of maintaining and repairing the same, and may do any other thing necessary or proper for the purposes of this act: *provided, however,* Proviso. that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drains or sewers within the location of any railroad corporation, except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the board of railroad commissioners.

SECTION 4. Said board, in order to take any lands in fee, water rights, rights of way or easements otherwise than by purchase or agreement, shall cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a statement signed by a majority of the board, containing a description thereof, as certain as is required in a conveyance of land, and specifying that the same are taken under the authority of this act; and upon such recording the title in the lands, water rights, rights of way or easements described in such statement shall vest in said town of Wakefield, which shall pay all damages therefor and all other damages which shall be sustained by any person or corporation through any action of said board under this act. Said board at the time of such taking shall notify the owners thereof in writing, and may agree with any person or corporation injured hereunder, upon the damages sustained by such person or corporation; and if the damages are not agreed upon a jury in the superior court for said county may be had, to determine the same, upon petition of either party, in the manner provided by law for determining the damages for land taken for highways; but in case of a taking no suit or petition shall be brought after the expiration of two years from the date of the recording of the taking as herein provided; and in all other cases no suit or petition shall be brought after the expiration of two years from the time when the cause of action accrues. Description of lands, etc., to be recorded. Damages.

SECTION 5. In every case of a petition for the assessment of damages or for a jury said town may at any time file in the office of the clerk of the court an offer in writ- Town may offer a specified sum as damages etc.

ing to pay the petitioner a sum therein specified as damages; and if the said petitioner does not accept the same within thirty days after notice of such offer, and does not finally recover a sum greater than that offered, not including interest from the date of the offer on the sum so recovered, the town shall recover costs from the date of said notice, and the petitioner if he does not recover damages to an amount greater than the amount specified in said offer shall be entitled to costs only to said date.

Assessment of betterments.

SECTION 6. Said commissioners shall assess annually to the owners of estates abutting on streets or ways, public or private, in which sewers are laid under the provisions of this act, taxes as follows: — For unoccupied land, not less than five nor more than ten cents per linear foot of frontage on any street or way, according to the benefit in each case, as determined by the commissioners. For land on which one or more dwelling houses stand, not less than five nor more than ten dollars for each dwelling where the water rates for the year ending on the thirty-first day of December next preceeding the beginning of the sewer year do not exceed six dollars per annum, and in case said water rates exceed six dollars per annum an additional sum amounting to not less than twenty per cent of such excess. For land on which factories, business blocks, hotels, boarding, tenement or apartment houses stand, and for all other estates not herein provided for, such tax as said commissioners may determine to be just, according to the circumstances of each case. For all estates having a frontage of more than one hundred feet on any street or way upon which there is a tenantable building an additional tax according to the benefit in each case, as determined by the commissioners, of not less than five nor more than ten cents per linear foot of such excess. All assessments shall cover the land to a depth not exceeding eighty feet. Upon application of any owner of an estate said commissioners may fix a lump sum of not less than one dollar nor more than two dollars per linear foot of frontage, which the owner may pay in place of said annual tax, within three months after notice of said assessment, and when paid such owners and their grantees shall be relieved from all future assessments for said property under this act. Land not assessed under the above provisions shall be subject to future assessments as the board may determine. The remainder of the cost of said system

Land not assessed subject to future assessments.

or systems shall be borne by the town. No particular or other sewer from any estate or part of an estate not already assessed or not liable to assessment, as provided above, shall be entered into a common sewer, except upon the payment of such an assessment and upon such other terms and conditions as the board of sewer commissioners shall determine.

Remainder of cost to be borne by town, etc.

SECTION 7. Upon the completion of a sewer, and when the same is ready for use, the board of sewer commissioners shall file a certificate with the collector of taxes of said town, designating the street or way, or part of the street or way, in which the sewer has been completed, and setting forth the names of the owners of the estates abutting, and the amount of assessment to be paid by each, and referring to a plan on file in the town clerk's office or in such other offices as the board shall determine, which plan shall show the frontage, the area assessed, the name of the owner and the amount of the assessment of each estate abutting on said street or way, with directions to collect the assessment; and the collector shall forthwith upon the receipt of such certificate make a demand in writing for the payment of the assessment, and every such owner shall, within three months after such demand is served on him or on the occupants of his estate, or sent by mail to the last address of said owner known to said collector of taxes, pay the sum so assessed to said collector: *provided*, that said board may, on the written request of any such owner made within said three months, apportion such assessment into such number of equal parts or instalments, not exceeding ten, as said owner shall indicate in such request, and they shall certify such apportionment to the assessors; and interest from the date of said apportionment at the rate of five per cent per annum shall be added to each of said assessments until they are paid, and one of said parts shall be added by the assessors to the annual tax on such estates for each year next ensuing, until all said parts have so been added, unless sooner paid as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments or charges then remaining unpaid; but interest on such balance at the rate of five per cent per annum shall be paid to the date of such pay-

Payment of assessments, etc.

Proviso.

ment; and thereupon the town treasurer shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In case of failure to pay said assessment as aforesaid the collector of taxes shall proceed to collect the same as hereinafter provided. In case of corner lots and lots abutting on more than one sewered street the same area shall not be assessed more than once, but in making an assessment the number of feet of frontage shall be held to mean the number of feet on the longest side of the lot so assessed, and all frontage in excess of eighty feet on the other side.

Assessment to constitute a lien upon estate, etc.

SECTION 8. An assessment made under section six or section seven shall constitute a lien upon the estate assessed, which shall continue for three years after it is made and notice served as above provided, or, in case of apportionment, until the expiration of two years from the time when the last instalment became due; and said assessment, if not paid within three months after service of such notice, or if apportioned, within three months after any part has become due, shall, together with interest thereon at the rate of six per cent per annum, with incidental costs and expenses, be levied by a sale of such estate. Such sale and all proceedings connected therewith shall be conducted by said collector in the same manner as sales for the non-payment of taxes, and the real estate so sold may be redeemed in the same manner as if sold for the non-payment of taxes. Every assessment made by said board which is invalid by reason of any error or irregularity in the assessment and which has not been paid or which has been recovered back, or which has been enforced by an invalid sale, may be reassessed by the aforesaid board of commissioners for the time being to the just amount to which and upon the estate upon which such assessment ought at first to have been assessed, and the assessment thus reassessed shall be payable and shall be collected and enforced in the same manner as other assessments. Such assessments may also be collected in the name of the town of Wakefield in an action of contract against the owner of the said estate, brought at any time within three years after the same have become due.

May be collected in an action of contract.

Persons aggrieved may apply for a jury, etc.

SECTION 9. Any person aggrieved by such assessment may, at any time within three months after service of the demand mentioned in section seven of this act, apply to the superior court of said county for a jury to

revise the same; but before making such application he shall give to the said commissioners fourteen days' notice in writing of his intention to do so, and shall therein particularly specify his objection to the assessment, to which specification he shall be confined before the jury.

SECTION 10. The town of Wakefield, for the purpose of paying the necessary expenses and liabilities incurred under this act, may incur indebtedness to an amount not exceeding three hundred and sixty thousand dollars, and may issue from time to time therefor, bonds, notes or scrip; and the debt and loan authorized by this act and the bonds, notes or scrip issued therefor shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds, notes or scrip shall bear on their face the words, Wakefield Sewerage Loan, shall be payable within periods not exceeding forty years from the dates of issue, and shall bear interest payable semi-annually at a rate not exceeding four per cent per annum. Such bonds, notes or scrip shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may from time to time sell such securities, or any part thereof, at public or private sale, or pledge the same for money borrowed for the purposes of this act, provided that they shall not be sold or pledged for less than the par value thereof. The proceeds thereof shall be retained in the treasury, and the treasurer shall upon the order of said board of commissioners pay therefrom the expenses incurred for the purposes aforesaid.

Wakefield
Sewerage Loan.

SECTION 11. Instead of establishing a sinking fund the town may at the time of authorizing the said loan provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby, less the amount that may be appropriated therefor as provided in the following section, shall without further vote be assessed by the assessors of the town in each year thereafter, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes, until the debt incurred by the town is extinguished.

May provide for
annual pay-
ments on loan.

SECTION 12. The receipts from assessments, and from payments made in lieu thereof, under this act, and the premiums, if any, received from the sale of bonds, notes or scrip issued under the authority of this act, shall be

Payment of
expenses, etc.

applied by the board of sewer commissioners to the payment of charges and expenses incident to the maintenance and operation of said systems of sewerage, or to the extension of the said system or systems, except that the town may apply any part of such receipts to the payment of the interest upon bonds, notes or scrip issued under the authority of this act not otherwise provided for, or to the payment or redemption of said bonds, notes or scrip, as the said town shall by vote determine, and the said receipts shall be used for no other purpose. If such receipts shall not be sufficient for the purposes aforesaid in any year the town shall raise forthwith by taxation, in the same manner as money is raised and appropriated for other town purposes, the balance required therefor.

Commissioners
to appoint a
clerk, etc.

SECTION 13. Said board of commissioners shall annually appoint a clerk, and may appoint a superintendent of sewers, and may remove said clerk or superintendent at its pleasure. The compensation of the commissioners shall be fixed by the town.

Contracts.

SECTION 14. All contracts made by said board of commissioners shall be made in the name of the town and shall be signed by the board; but no contracts shall be made or obligations incurred by the commissioners for any purpose in excess of the amount of money appropriated by the town therefor.

May prescribe
rules and regu-
lations, im-
pose penalties,
etc.

SECTION 15. Said board of commissioners may from time to time prescribe rules and regulations for the connecting of estates and buildings with main drains and sewers, and for the inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may impose penalties not exceeding twenty dollars for each violation of any such rule or regulation. Such rules or regulations shall be published not less than once a week for three successive weeks in some newspaper published in the town of Wakefield, if there be any, if not, in some newspaper published in the county of Middlesex, and shall not take effect until such publication has been made.

Certain pro-
visions of law
to apply.

SECTION 16. The provisions of chapter fifty of the Public Statutes and of acts in amendment thereof, also of chapter two hundred and forty-five of the acts of the year eighteen hundred and ninety-two, so far as the same are applicable and not inconsistent with this act, shall apply to the town of Wakefield in carrying out the provisions of this act.

SECTION 17. No act shall be done under the authority of the preceding sections until the plans for said system of sewerage have been approved by the state board of health. Upon application to said board for such approval the board shall give a hearing, after due notice to the public. At such hearing plans showing in detail all the work to be done in constructing said system of sewerage shall be submitted for the approval of the state board of health. Notice of the hearing shall be sent to the city of Lynn, to its water board, and to the Wakefield Water Company.

Plans to be approved by state board of health.

SECTION 18. This act shall take effect upon its passage, but no expenditure shall be made nor any liability incurred thereunder unless this act shall first be accepted by vote of a majority of the voters of said town voting thereon at a legal meeting called for the purpose. The town may elect said board of sewer commissioners at the same meeting at which it accepts this act.

When to take effect, etc.

Approved June 13, 1900.

AN ACT RELATIVE TO THE HOURS OF LABOR OF WOMEN AND MINORS
IN MERCANTILE ESTABLISHMENTS.

Chap. 378

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter five hundred and eight of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "age", in the first line, the words: — and no woman, — by striking out the word "sixty", in the third line, and inserting in place thereof the word: — fifty-eight, — and by adding at the end of said section the words: — *provided*, that the restrictions imposed by this section shall not apply during the month of December in each year to persons employed in shops for the sale of goods at retail, — so as to read as follows: — *Section 10.* No minor under eighteen years of age, and no woman, shall be employed in laboring in any mercantile establishment more than fifty-eight hours in any one week: *provided*, that the restrictions imposed by this section shall not apply during the month of December in each year to persons employed in shops for the sale of goods at retail.

1894, 508, § 10, amended.

Employment of minors and women in mercantile establishments regulated.
Proviso.

SECTION 2. This act shall take effect on the first day of July in the year nineteen hundred.

When to take effect.

Approved June 13, 1900.

Chap. 379 AN ACT TO PROVIDE FOR THE BETTER PROTECTION AND TO REGULATE
THE SALE OF GAME BIRDS.

Be it enacted, etc., as follows:

Taking, etc., of
woodcock or
partridge regu-
lated.

SECTION 1. It shall be unlawful to take or kill or have in possession, or buy, sell or offer for sale, a woodcock, or a ruffed grouse, commonly called a partridge, between the first day of December and the first day of October following, whenever or wherever such bird may have been taken or killed.

Not to buy or
sell, etc., for a
certain period.

SECTION 2. For a period of three years after the passage of this act it shall also be unlawful to buy, sell, offer for sale, or have in possession for sale, any woodcock, or ruffed grouse, commonly called partridge, whenever or wherever the said birds may have been taken or killed.

Taking, etc., of
quail regulated.

SECTION 3. It shall be unlawful to take or kill or have in possession, or buy, sell or offer for sale, a quail, between the first day of December and the first day of October following, whenever or wherever such bird may have been taken or killed: *provided, however*, that any person, firm or corporation dealing in game or engaged in the cold storage business may buy, sell or have in possession, and any person may buy from such person, firm or corporation, and have in possession if so bought, quail from the first day of December to the first day of May, if such quail were not taken or killed in this Commonwealth contrary to the provisions of this act; and any person, firm or corporation dealing in game or engaged in the cold storage business may have quail in possession on cold storage at any season, if such quail were not taken or killed in this Commonwealth contrary to the provisions of this act.

Proviso.

Taking, etc., of
pinnated grouse,
etc.

SECTION 4. It shall be unlawful to take or kill a pinnated grouse at any time, or a wood or summer duck, black duck or teal, between the first day of March and the first day of September, or any other of the so-called duck species, between the twentieth day of May and the first day of September, or to buy, sell or have in possession any of the birds named in this section during the time within which the taking or killing thereof is prohibited, whenever or wherever such birds may have been taken or killed: *provided, however*, that any person, firm or corporation dealing in game or engaged in the cold storage business may buy, sell or have in possession, and any person may buy from such person, firm or corporation, and

Proviso.

have in possession if so bought, pinnated grouse, wild pigeons and any of the so-called shore, marsh or beach birds, or any of the so-called duck species, at any season, if such birds were not taken or killed in this Commonwealth contrary to the provisions of this act.

SECTION 5. Whoever takes or kills, or buys or sells or offers for sale, or has in possession, or has in possession for sale, any bird contrary to the provisions of this act, shall be punished by a fine of twenty dollars for every bird so taken or killed, or bought or sold or offered for sale, or had in possession, or had in possession for sale. Penalty.

SECTION 6. Section one of chapter two hundred and five of the acts of the year eighteen hundred and ninety-four, and chapter one hundred and ninety-five of the acts of the year eighteen hundred and ninety-eight, are hereby repealed; but such repeal shall not affect any forfeiture incurred, suit or proceeding pending or action accrued under said section or chapter. *Approved June 13, 1900.* Repeal, etc.

AN ACT TO AUTHORIZE THE CITY OF SOMERVILLE TO ACQUIRE AND LAY OUT CERTAIN LAND FOR A PUBLIC PARK. Chap.380

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville, by its board of aldermen, may at any time within three years after the passage of this act take, from time to time by gift, upon such conditions as said board of aldermen may deem advisable, or by purchase or otherwise, and hold in fee or otherwise, and maintain for the purpose of a public park, a certain tract of land or any portion or portions thereof, not exceeding twenty thousand square feet in area, situated in said city and bounded southeasterly by Walnut street, one hundred and two and ninety-four one hundredths feet, westerly by Medford street, four hundred feet, northerly by land of the Boston and Lowell Railroad Company, fifteen feet, and northeasterly by land of said railroad company, three hundred and thirty-five and eighty-five one hundredths feet; be said measurements, or any of them, more or less. City of Somerville may take, etc., certain land for a public park.

SECTION 2. Said city shall, within sixty days after the taking of any lands as aforesaid, otherwise than by purchase or gift, cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, Description of lands, etc., to be recorded, etc.

which statement shall be signed by the mayor, and the title of all lands so taken shall vest in the city of Somerville in fee.

Damages.

SECTION 3. Said city shall pay all damages sustained by any person or corporation in property by the taking of any lands, or by any other thing done by said city under the authority of this act. Any person or corporation sustaining damages as aforesaid under this act, who fails to agree with the said city as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, on application at any time within a period of two years from the taking of such land or other property, or the doing of such other injury under the authority of this act.

Appropriations.

SECTION 4. No money shall be appropriated at any time for the taking or purchasing of said land, except by a two thirds vote of said board of aldermen, taken by call of the yeas and nays.

Subject to acceptance by board of aldermen.

SECTION 5. This act, except as provided in the following section, shall not take effect unless accepted by said city of Somerville by a majority vote of the board of aldermen, taken by call of the yeas and nays.

When to take effect.

SECTION 6. So much of this act as authorizes the submission of the question of its acceptance to the board of aldermen of said city shall take effect upon its passage, and if duly accepted it shall take full effect on the date of such acceptance.

Approved June 13, 1900.

Chap. 381 AN ACT TO AUTHORIZE RECEIVERS TO SELL THE PROPERTY, LOCATIONS AND FRANCHISES OF STREET RAILWAY COMPANIES.

Be it enacted, etc., as follows :

Receivers may sell property, etc., of street railway companies.

SECTION 1. Any receiver, heretofore or hereafter appointed, of the property of any street railway company may, by order of the court, sell and transfer the road and property of such company, together with its locations and franchises, on such terms and in such manner as the court may order.

Purchasers, etc., to hold and possess road, etc.

SECTION 2. The purchasers from such receiver, and any corporation organized under the provisions of section three of this act whenever such road has been transferred to it, shall hold and possess said road, together with all the rights and franchises thereto appertaining, and all

property acquired in connection therewith, with the same rights and privileges and subject to the same duties and liabilities which belonged to and were incumbent upon the original street railway company, except however that no action shall be brought against such purchaser or such new corporation to enforce any liability incurred by said original corporation, excepting that all debts and liabilities owing from said original corporation to any city or town within which the road is operated, and all taxes and assessments for which said original corporation is liable under the statutes relating to street railways shall be assumed and paid by said new corporation; but this provision shall not impair the powers of the holders of any outstanding mortgages to enforce their rights by suit or otherwise.

SECTION 3. The purchasers at any sale made by a receiver as authorized by the first section hereof shall with their associates, to the number of at least fifteen, within sixty days after such sale, organize a corporation for the purpose of holding, owning and operating the street railway purchased, by filing in the office of the secretary of the Commonwealth articles of association, setting forth the name of the corporation, the name of the corporation whose property and franchises have been purchased, the name of each city, town and county through which the route of the purchased street railway extends, the termini of the said railway, the name of the court by which the sale authorized by section one was ordered, the date of such order, the date of the sale, the amount of the capital stock of the successor corporation, and the names of at least seven persons to act as a board of directors until others are chosen by the corporation. Each associate shall subscribe to the articles his name, residence, post office address, and the number of shares of stock which he agrees to take. The secretary of the Commonwealth shall record the articles of association in a book kept by him for this purpose, and shall issue a certificate of incorporation in the form authorized by the Public Statutes to be issued to street railway companies. As soon as said certificate is issued the corporation shall organize in the manner provided for the organization of street railway companies in chapter one hundred and thirteen of the Public Statutes. Any corporation organized under the provisions of this act may begin business as soon as it is organized. In case the said purchasers at

Purchasers, etc., to organize a corporation, etc.

May begin business as soon as organized, etc.

any sale fail to organize a corporation as herein provided, all rights and powers to operate said road shall thereupon cease.

Capital to be fixed by railroad commissioners, etc.

SECTION 4. The capital of any corporation organized under the authority of the preceding section shall be fixed at such sum as may be approved by the board of railroad commissioners, but shall not exceed the fair cost of replacing the road and property so acquired by it, less however the amount of any outstanding mortgages to which the property may remain subject in the hands of such new corporation; the cost of replacing to be determined by the board of railroad commissioners upon the application of the company.

Rights and duties of corporation.

SECTION 5. Any corporation organized under the provisions of this act shall have all the rights and be subject to all the duties prescribed by the laws which may from time to time be in force applicable to street railway companies, except as herein otherwise provided.

Certain rights of cities and towns not impaired.

SECTION 6. Nothing in this act contained shall be deemed to impair the right of any city or town to revoke any location which may be sold under the provisions of this act.

SECTION 7. This act shall take effect upon its passage.

Approved June 15, 1900.

Chap. 382 AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE TRACT OF LAND EAST OF THE STATE HOUSE.

Be it enacted, etc., as follows:

Buildings on certain land belonging to the Commonwealth to be removed, etc.

SECTION 1. The governor and council are hereby authorized to sell, by public auction or otherwise, any or all of the buildings belonging to the Commonwealth on the tract of land in the city of Boston east of the state house, between Bowdoin street and Mount Vernon street, and they shall cause all the buildings on the said tract of land to be removed within one year from the date of the passage of this act, and the proceeds of any sale shall be paid into the treasury of the Commonwealth and placed to the credit of the State House Loans Sinking Fund.

Land may be laid out for use as a park, etc.

SECTION 2. The governor and council may lay out said land for use as a park, with walks, grassplots, curbing and railing, may close any part or the whole of any street alongside said land, may construct new approaches to the state house from any adjacent public street, and may build retaining walls and fences. They may also, in behalf of

the Commonwealth, agree with the city of Boston in regard to any changes of grade on any of the streets on which the Commonwealth's land bounds, and may waive any or all grade damages or claims for land taken for improvement of streets.

SECTION 3. All expenses incurred under this act shall be paid from the State House Loan, 1901, authorized by chapter three hundred and forty-nine of the acts of the year eighteen hundred and eighty-eight, and chapter three hundred of the acts of the year eighteen hundred and eighty-nine, and chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-two; and the treasurer and receiver general is hereby authorized to issue additional bonds to such an amount as may be necessary to carry out the provisions of this act. Payment of expenses.

SECTION 4. This act shall take effect upon its passage.

Approved June 15, 1900.

AN ACT TO ESTABLISH THE SALARIES OF THE FIRST AND SECOND CLERKS IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

Chap. 383

Be it enacted, etc., as follows:

SECTION 1. The salary of the first clerk in the office of the secretary of the Commonwealth shall be twenty-five hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. First clerk in office of secretary of the Commonwealth.

SECTION 2. The salary of the second clerk in the office of the secretary of the Commonwealth shall be twenty-two hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. Second clerk.

SECTION 3. This act shall take effect upon its passage.

Approved June 15, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE THIRD DISTRICT COURT OF BRISTOL.

Chap. 384

Be it enacted, etc., as follows:

SECTION 1. The salary of the justice of the third district court of Bristol shall be twenty-five hundred dollars a year, to be so allowed from the first day of January in the year nineteen hundred. Justice of third district court of Bristol.

SECTION 2. This act shall take effect upon its passage.

Approved June 20, 1900.

Chap.385 AN ACT TO ESTABLISH THE SALARIES OF THE JUSTICES OF THE SUPREME JUDICIAL COURT AND OF THE SUPERIOR COURT.

Be it enacted, etc., as follows :

Justices of
supreme judi-
cial court.

SECTION 1. From and after the first day of August in the year nineteen hundred there shall be paid out of the treasury of the Commonwealth to the chief justice of the supreme judicial court an annual salary of eighty-five hundred dollars, and also five hundred dollars annually in full compensation for travelling expenses ; and to each of the associate justices of said court an annual salary of eight thousand dollars, and also five hundred dollars to each annually in full compensation for travelling expenses.

Justices of
superior court.

SECTION 2. From and after the first day of August in the year nineteen hundred there shall be paid out of the treasury of the Commonwealth to the chief justice of the superior court an annual salary of seven thousand dollars, and also five hundred dollars annually in full compensation for travelling expenses ; and to each of the associate justices of said court an annual salary of sixty-five hundred dollars, and also five hundred dollars to each annually in full compensation for travelling expenses.

Repeal.

SECTION 3. Chapters one hundred and four and three hundred and twenty-eight of the acts of the year eighteen hundred and ninety-two are hereby repealed.

When to take
effect.

SECTION 4. This act shall take effect on the first day of August in the year nineteen hundred.

Approved June 20, 1900.

Chap.386 AN ACT RELATIVE TO PRINTING CERTAIN PARTS OF THE ANNUAL REPORT OF THE INSURANCE COMMISSIONER.

Be it enacted, etc., as follows :

1904, 398, § 7,
amended.

SECTION 1. Section seven of chapter three hundred and ninety-three of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting the following paragraphs after line fifty-nine :—

Of that part of the report of the insurance commissioner relating to fraternal beneficiary corporations, fifteen hundred copies.

Of that part of the report of the insurance commissioner entitled “Texts and Tables”, five hundred copies.

SECTION 2. This act shall take effect upon its passage.

Approved June 20, 1900.

AN ACT RELATIVE TO THE ABOLITION OF CERTAIN GRADE CROSSINGS IN THE CITY OF WORCESTER. *Chap. 387*

Be it enacted, etc., as follows :

SECTION 1. Upon petition by the mayor and aldermen of the city of Worcester to the superior court for the county of Worcester a commission, as provided in chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and acts in addition thereto and in amendment thereof, shall be appointed to prescribe the manner in which all the grade crossings of railroads and public and private ways between the Union station and Cambridge street, and the grade crossing of the Norwich and Worcester railroad and Cambridge street and the railroad crossing at Worcester Junction in said Worcester, shall be abolished, by raising the railroads so that the tracks of the several railroads shall be elevated at the Union station to the height of twelve feet above their present grade, and so that Grafton and Green streets, and Southbridge street north of Worcester Junction, and Hammond street shall be crossed by bridges giving not less than sixteen feet at Grafton and Green streets and fifteen feet at Southbridge street, and thirteen feet at Hammond street clear head-room between the grade of the streets and the bridges, or the centre of the bridges in case an arch is prescribed at any street, and so that the tracks of the railroad at Grand street shall not be raised more than six feet above their present level ; but the grade of Green street shall not be lowered more than three feet, and the grade of Southbridge street and Hammond street shall not be lowered without the consent of the city council of the city of Worcester, and all streets under bridges shall be of not less than their present width. Said commission shall also prescribe the construction of bridges in the railroad as raised to span suitable openings for the extension of Madison street and Hermon street by the city, and shall also prescribe such alterations in the existing crossings of other public and private ways over and under said railroads, and any of them, and of railroads with each other, within the limits above specified, as may be required by the abolition of the grade crossings in the manner above provided.

Commission to be appointed upon petition, etc.

To prescribe construction of bridges, etc.

SECTION 2. The commission shall also, after due notice to all parties to the petition, and also to the Fitchburg

To prescribe necessary alterations in Union

passenger
station, etc.

Railroad Company and to the Worcester, Nashua and Rochester Railroad Company, and a hearing, prescribe as a part of the work to be done under the provisions of this act such alterations in the Union passenger station as may be made necessary by the abolition of the grade crossings hereinbefore designated, in the manner provided by this act, and as in their judgment the safety and convenience of the public and the interests of the railroad companies using said station may require. The Boston and Albany Railroad Company shall alter said station in the manner thus prescribed by the commission, within three years after the report of the commission is confirmed by final decree. All the provisions of chapter three hundred and forty-three of the acts of the year eighteen hundred and seventy-one, and acts in amendment thereof and in addition thereto, except as herein otherwise provided, shall apply to said Union passenger station as so altered.

Certain pro-
visions of law
to apply.

Construction of
certain bridges,
etc.

SECTION 3. All bridges built, maintained and retained over streets within the limits described in section one of this act shall have solid and water-tight floor construction, with provision for deadening sound. No existing public or private way crossing the location of any railroad within the limits described in section one shall be discontinued in any proceeding under the provisions of this act, without the approval of the city council of the city of Worcester; and no railroad company shall be entitled to damages on account of the laying out and construction of Madison and Hermon streets across its location.

Certain changes
to be of a tem-
porary charac-
ter, etc.

SECTION 4. In making decrees and changes with reference to the viaduct established under the provisions of section eleven of chapter three hundred and forty-three of the acts of the year eighteen hundred and seventy-one, as amended by chapter one hundred and seventy-two of the acts of the year eighteen hundred and eighty-six, changes in construction shall, so far as the commission deems practicable, be of a temporary character, so that the same may be altered and a permanent arrangement made when the grade crossings on the Worcester, Nashua and Rochester railroad and the Fitchburg railroad, between and including Garden street and Union station, shall be abolished.

Taking of land.

SECTION 5. Any commission appointed under the provisions of this act shall have power to prescribe the taking of land in fee or otherwise within or without the location of any one or more of said companies, from any one or

more of them, and the decree of the court confirming the decision of the commission shall constitute such taking.

SECTION 6. The alterations at said Union station, the decisions of said commission, and the constructions under the authority thereof shall be made in contemplation of an elevation of at least twelve feet at the Union station of the tracks of the Fitchburg Railroad Company and the Worcester, Nashua and Rochester Railroad Company, when the said crossings upon those railroads between the Union station and Garden street may be abolished.

Alterations at Union station, etc., to be made in contemplation of an elevation of certain tracks.

SECTION 7. The compensation of the commissioners and the expenses incurred in surveying, engineering and other matters under their direction to enable them to make their report shall be a part of the expenses of the alterations of said railroads and ways provided for in this act, and shall be apportioned as provided by law. The work required to be done by the decision of the commission and the final decree of the court shall be begun within nine months after such final decree, and shall be prosecuted to completion with diligence.

Compensation of commissioners, etc.

Work to be begun within nine months after final decree.

SECTION 8. All the provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, and acts in amendment thereof and in addition thereto, shall apply to all proceedings under this act, except as otherwise provided herein; and no further proceedings shall be had upon petitions heretofore filed under said chapter four hundred and twenty-eight as to any crossings and streets within the limits described in section one of this act, except that the superior court may revoke any and all decrees heretofore entered, and apportion the costs of hearings and the compensation of commissioners.

Certain provisions of law to apply, etc.

SECTION 9. Said railroad companies, respectively, may sell and convey all their right, title and interest in and to any land occupied by them for railroad purposes, the use of which may be discontinued under the provisions of this act.

Railroad companies may sell, etc., right in certain land, etc.

SECTION 10. The Boston and Albany Railroad Company is hereby authorized to issue bonds to such an amount, not exceeding seven hundred thousand dollars, as its directors shall determine to be reasonably requisite to provide for its share of the expenditure arising under the provisions of this act.

Boston and Albany Railroad Company may issue bonds.

SECTION 11. The city of Worcester, to meet the expenses to be incurred by the city under the provisions of this act, may incur indebtedness and may issue notes,

City of Worcester may issue notes, bonds or scrip, etc.

P. S. 29, etc., to
apply.

bonds or scrip therefor, payable within forty years from the dates of issue, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. The provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto shall apply to the issue of such bonds, notes or scrip, and to the establishment of a sinking fund for the payment thereof at maturity, except so far as is otherwise provided herein.

SECTION 12. This act shall take effect upon its passage.

Approved June 20, 1900.

Chap. 388 AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED DURING THE PRESENT YEAR, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit : —

Summer schools
for teachers.

For expenses of summer schools for teachers, as authorized by chapter two hundred and nineteen of the acts of the present year, a sum not exceeding fifteen hundred dollars.

Purchase of
books for free
public libraries.

For the purchase of books for free public libraries, as authorized by chapter two hundred and thirty-three of the acts of the present year, a sum not exceeding three thousand dollars.

Portrait of gov-
ernor.

For the purpose of procuring for the Commonwealth a portrait of its present governor, as authorized by chapter two hundred and ninety-seven of the acts of the present year, a sum not exceeding one thousand dollars.

Massachusetts
reformatory.

For a new hospital, laundry and bath house building at the Massachusetts reformatory, as authorized by chapter fifty-three of the resolves of the present year, a sum not exceeding thirty-five thousand dollars.

State normal
school at Fitch-
burg.

For completing and furnishing the building for a model and practice school at the state normal school at Fitchburg, as authorized by chapter fifty-four of the resolves of the present year, a sum not exceeding seventy-five hundred dollars.

For certain improvements at the state farm, as authorized by chapter fifty-five of the resolves of the present year, a sum not exceeding fourteen thousand five hundred dollars.

State farm.

For certain improvements at the asylum for insane criminals at the state farm, as authorized by chapter fifty-six of the resolves of the present year, a sum not exceeding twenty-nine thousand dollars.

Asylum for insane criminals.

For John J. Nichols, as authorized by chapter fifty-seven of the resolves of the present year, the sum of three hundred and fifty dollars.

John J. Nichols.

For printing additional copies of the report of the commissioners on the topographical survey and map of Massachusetts on the boundary line between the Commonwealth and the state of New York, as authorized by chapter fifty-eight of the resolves of the present year, the sum of sixteen dollars and seventy cents.

Report on boundary line between Massachusetts and New York.

For certain improvements at the Lyman school for boys, as authorized by chapter sixty of the resolves of the present year, a sum not exceeding eighteen thousand dollars.

Lyman school for boys.

For publishing a history of the state seal and coat-of-arms, as authorized by chapter sixty-one of the resolves of the present year, a sum not exceeding one hundred and fifty dollars.

Publishing history of state seal and coat-of-arms.

For expenses of an investigation concerning the completion of the New Bedford and Fairhaven bridge over the Acushnet river, incurred by the joint board of railroad commissioners and harbor and land commissioners, as authorized by chapter ninety-nine of the resolves of the year eighteen hundred and ninety-nine, the sum of one hundred twenty-five dollars and twenty-six cents.

Investigation concerning completion of New Bedford and Fairhaven bridge.

For the survey and improvement of harbors and for repairing damages occasioned by storms along the coast line or river banks of the Commonwealth, as authorized by chapter three hundred and nine of the acts of the present year, a sum not exceeding twenty-five thousand dollars.

Survey and improvement of harbors, etc.

For the construction at the state camp ground of buildings for the issue of rations, as authorized by chapter sixty-two of the resolves of the present year, a sum not exceeding twelve hundred dollars.

Construction of buildings at state camp ground.

For certain improvements at the state camp ground, as authorized by chapter sixty-three of the resolves of the present year, a sum not exceeding six thousand dollars.

Improvements at state camp ground.

Care, etc., of
U. S. steamer
Inca.

For the care, furnishing and repair of the United States steamer Inca, as authorized by chapter sixty-four of the resolves of the present year, a sum not exceeding eight hundred dollars.

Investigation of
sanitary condi-
tion of Sudbury
and Concord
rivers, etc.

For investigating the sanitary condition of the Sudbury and Concord rivers and of the meadows adjacent thereto, as authorized by chapter sixty-five of the resolves of the present year, a sum not exceeding three thousand dollars.

Phoebe H. K.
Chapman.

For Phoebe H. K. Chapman, as authorized by chapter sixty-six of the resolves of the present year, the sum of one hundred and twenty-five dollars.

Lemuel Burr.

For Lemuel Burr, as authorized by chapter sixty-seven of the resolves of the present year, the sum of one hundred and fifty dollars.

State normal
school at
Bridgewater.

For repairs and improvements at the state normal school at Bridgewater, as authorized by chapter sixty-eight of the resolves of the present year, a sum not exceeding five thousand seven hundred dollars.

Worcester in-
sane hospital.

For completing the new building at the Worcester insane hospital, as authorized by chapter sixty-nine of the resolves of the present year, a sum not exceeding thirty-nine thousand nine hundred ninety-eight dollars and forty-four cents.

State hospital.

For certain improvements at the state hospital, as authorized by chapter seventy of the resolves of the present year, a sum not exceeding forty-three thousand five hundred dollars.

New Bedford
textile school.

For the New Bedford textile school, as authorized by chapter seventy-two of the resolves of the present year, the sum of eighteen thousand dollars.

Lowell textile
school.

For the erection of buildings for the Lowell textile school, as authorized by chapter seventy-three of the resolves of the present year, a sum not exceeding thirty-five thousand dollars.

Preservation of
ornamental and
shade trees on
public high-
ways.

For purchasing nails or spikes to be driven into certain trees designated by the authorities of cities and towns for the purpose of preserving ornamental and shade trees on public highways, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Witnesses be-
fore commit-
tees.

For expenses of summoning witnesses before committees, and for fees of such witnesses, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved June 20, 1900.

AN ACT TO PROVIDE FOR REPAIRING CERTAIN HIGHWAYS AND BRIDGES IN THE TOWN OF MARSHFIELD. *Chap. 389*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized and empowered to repair, rebuild or relocate and construct the highways and bridges in the town of Marshfield which were damaged or destroyed by the storm of November twenty-sixth and twenty-seventh in the year eighteen hundred and ninety-eight, as in their opinion will best provide for the public safety and convenience, and to build such sea walls, breakwaters or other structures for the protection of said highways as they may deem proper. The cost of the work herein authorized shall be paid from the treasury of the Commonwealth upon vouchers to be approved by the governor and council, in the same manner in which other claims against the Commonwealth are approved; but the total expenditure under the authority of this act shall not exceed twenty thousand dollars.

Repair, etc., of certain highways and bridges in Marshfield.

Payment of cost, etc.

SECTION 2. For the purposes of this act the said commissioners shall have full and exclusive jurisdiction over said highways and bridges while at work upon them, and shall give written notice to the selectmen of said town of the day on which they will begin work on each section of highway or bridge, and shall give a similar notice of the time of completion of each section of highway or bridge.

Commissioners to have exclusive jurisdiction during work, etc.

SECTION 3. The provisions of chapter nineteen of the Public Statutes shall apply to any work done in tide water under the provisions of this act.

P. S. 19 to apply to certain work.

SECTION 4. Said commissioners shall keep an accurate account of the amount and kind of work done, together with the cost of the same, and shall make a detailed report thereof to the governor and council on or before the first day of January in the year nineteen hundred and one. They shall include in their report an accurate statement of the services performed by each commissioner under the provisions of this act.

Commissioners to make report to governor and council.

SECTION 5. This act shall take effect upon its passage.

Approved June 20, 1900.

Chap. 390 AN ACT RELATIVE TO THE RATIFICATION OF A CERTAIN CONTRACT
MADE BY THE CITY OF HOLYOKE BY ITS BOARD OF PUBLIC WORKS
WITH THE HOLYOKE WATER POWER COMPANY.

Be it enacted, etc., as follows :

Question of
ratification of a
certain contract
to be submitted
to voters of
Holyoke, etc.

SECTION 1. The board of aldermen of the city of Holyoke shall call a special meeting of the voters of the city, to be held within sixty days after the passage of this act, to vote upon the following question : — “ Shall the contract of the city of Holyoke, by its board of public works, with the Holyoke Water Power Company for the furnishing of electricity for lighting and commercial purposes for a period of ten years from the date thereof, and dated February third, nineteen hundred, be ratified ? ” And if the said question be answered affirmatively by a majority of the voters voting thereon the said contract shall be deemed ratified, and the same shall be legal and binding from the date thereof, in like manner as if the city of Holyoke had possessed full authority on the date of the contract to make the same, and the city shall thereupon be released from all liability to purchase the plant and property of said Holyoke Water Power Company under the votes heretofore passed by the city under the provisions of chapter three hundred and seventy of the acts of the year eighteen hundred and ninety-one and chapter four hundred and fifty-four of the acts of the year eighteen hundred and ninety-three and any amendments thereof ; and the said city shall not during the period of the said contract establish any municipal lighting plant under said statutes or any similar enabling acts hereafter passed.

Time to be
allowed for
employees to
vote.

SECTION 2. No person entitled to vote at the meeting called and held under the authority of section one of this act shall, upon the day of said meeting, be employed by any manufacturing, mechanical or mercantile establishment, except such as may lawfully conduct its business on Sunday, during the period of two hours after the opening of the polls in the voting precinct in which he is entitled to vote, if he shall make application for leave of absence during such period.

SECTION 3. This act shall take effect upon its passage.

Approved June 21, 1900.

AN ACT TO PROVIDE AN ADDITIONAL WATER SUPPLY FOR THE *Chap. 391*
TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline is hereby authorized to take, hold and convey into and through said town from lands near the Charles river, at any convenient point upon the same accessible to the pumping plant of said town, water for the use of said town and the inhabitants thereof, not exceeding two million gallons daily, in addition to the three million gallons daily which it is now authorized to take from the Charles river by chapter three hundred and forty-three of the acts of the year eighteen hundred and seventy-two and by chapter one hundred and thirty-one of the acts of the year eighteen hundred and eighty-eight, making the whole quantity which the town is authorized to take five million gallons daily. The two million gallons daily aforesaid is to be taken from the water bearing strata contained within the said lands, and is to be drawn therefrom through artesian, driven or dug wells, or water galleries now installed or to be installed. All the provisions of said chapters three hundred and forty-three and one hundred and thirty-one not inconsistent with this act shall apply to the additional two million gallons daily, in the same manner and to the same extent as said provisions apply to the three million gallons daily authorized to be taken by said chapters; and so far as the amount of water flowing in Charles river is diminished by the taking of water hereby authorized said town shall be liable in damages to any person or corporation thereby injured, to be ascertained and recovered as provided in said chapter three hundred and forty three.

Additional
water supply to
be provided for
Brookline.

Damages.

SECTION 2. Said town for the purposes mentioned herein and in said chapters three hundred and forty-three and one hundred and thirty-one may issue notes, scrip or certificates of debt, to be denominated on the face thereof, Brookline Water Scrip, to an amount not exceeding two hundred and fifty thousand dollars in addition to the amount of twelve hundred thousand dollars which said town has heretofore been authorized to issue, to be issued upon the same terms and conditions and with the same powers prescribed in said chapters three hundred and forty-three and one hundred and thirty-one: *provided*, that the whole amount of such notes, scrip or certificates

Brookline
Water Scrip.

Proviso.

of debt issued by said town for the purposes herein mentioned shall not in any event exceed the sum of fourteen hundred and fifty thousand dollars.

When to take effect.

SECTION 3. This act shall take effect when accepted by two thirds of the legal voters of said town present and voting thereon at a town meeting called for that purpose within two years from the passage of this act.

Approved June 21, 1900.

Chap.392 AN ACT TO AUTHORIZE THE TOWN OF SUNDERLAND TO SUBSCRIBE FOR AND HOLD SHARES OF THE CAPITAL STOCK OR BONDS OF THE AMHERST AND SUNDERLAND STREET RAILWAY COMPANY.

Be it enacted, etc., as follows :

May subscribe for and hold shares of capital stock, etc., of the Amherst and Sunderland Street Railway Company.

SECTION 1. The town of Sunderland is hereby authorized to subscribe for and hold shares of the capital stock or bonds of the Amherst and Sunderland Street Railway Company, to the amount and in the manner provided for by sections forty-six to fifty, both inclusive, of chapter one hundred and twelve of the Public Statutes, with reference to the subscription by towns for shares of the capital stock or securities of a railroad corporation.

SECTION 2. This act shall take effect upon its passage.

Approved June 25, 1900.

Chap.393 AN ACT RELATIVE TO THE COMPENSATION OF THE METROPOLITAN PARK COMMISSIONERS.

Be it enacted, etc., as follows :

1893, 407, § 1, etc., amended.

Metropolitan Park Commission, appointment, terms, etc.

SECTION 1. Section one of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, as amended by section one of chapter four hundred of the acts of the year eighteen hundred and ninety-nine, is hereby amended by striking out the words "eighteen hundred and ninety-nine", in the sixteenth and seventeenth lines, and inserting in place thereof the words : — nineteen hundred, — so as to read as follows : — *Section 1.* The governor, by and with the advice and consent of the council, shall appoint five persons, who shall constitute a board to be known as the Metropolitan Park Commission. The members of this board shall hold office respectively for the terms of one year, two years, three years, four years and five years, beginning with the first Monday in May in the year eighteen hundred and ninety-three, and annually thereafter the governor shall appoint as aforesaid one

such commissioner, to hold office for the term of five years, beginning with the first Monday in May in the year of his appointment; and if any vacancy occurs in said board by resignation or otherwise the governor shall in like manner appoint a commissioner for the residue of the term in which the vacancy occurs, and may also remove any commissioner. The members of said board, or any of them, may receive for the year nineteen hundred, such compensation for their services as the governor, with the advice and consent of the council, may authorize, and shall also be allowed their travelling and other expenses incurred in the discharge of their duties, and all sums so authorized and allowed shall be paid by the Commonwealth and shall be a part of the expenses under this act. Compensation,
etc.

SECTION 2. This act shall take effect upon its passage.

Approved June 25, 1900.

AN ACT TO PROVIDE FOR AN ADDITIONAL WATER SUPPLY FOR THE
HYDE PARK WATER COMPANY.

Chap. 394

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-one of the acts of the year eighteen hundred and eighty-four is hereby amended by inserting after the word "beginning", in the twelfth line, the words:—also the waters that may be drawn from artesian, driven or dug wells, and water galleries installed or to be installed within the following territory, to wit: Beginning at the junction of River street and Paradise lane, so-called, in Dedham, near the division line between Hyde Park and Dedham, thence northerly along said Paradise lane and the extension thereof to and across Mother brook, to land occupied as a right of way by the metropolitan sewer of the Commonwealth of Massachusetts, thence westerly along said right of way to a point opposite the estate of William Ovens, thence south-westerly to and across Mother brook to Milton street, meeting said Milton street at the point where the culvert crossing said street leads into the land of William Ovens, thence southeasterly along said Milton street to and across River street to a point where Paradise lane if extended across River street in a southerly direction would meet said Milton street, thence northerly to and across River street to the point of beginning; excepting however from such territory all streets and ways that may be found therein,—so as to read as follows:—*Section 2.* The 1884, 91, § 2,
amended.

May take water
from Neponset
river, etc.

May take waters
drawn from cer-
tain wells, etc.

May take neces-
sary real estate,
etc.

May construct
and lay down
conduits, etc.

said corporation, for the purposes aforesaid, may take, hold and convey through said town of Hyde Park, or any part thereof, the waters of the Neponset river or of any springs upon its watershed within the territory bounded by a line drawn from the junction of Mother brook and Neponset river southerly to the junction of Neponset river and New York and New England railroad, thence following the said railroad southerly to the town line, thence easterly on said town line to Neponset river, thence down said river and westerly following the town line to its junction with Williams avenue, thence in a straight line to point of beginning; also the waters that may be drawn from artesian, driven or dug wells, and water galleries installed or to be installed within the following territory, to wit: Beginning at the junction of River street and Paradise lane, so-called, in Dedham, near the division line between Hyde Park and Dedham, thence northerly along said Paradise lane and the extension thereof to and across Mother brook, to land occupied as a right of way by the metropolitan sewer of the Commonwealth of Massachusetts, thence westerly along said right of way to a point opposite the estate of William Ovens, thence southwesterly to and across Mother brook to Milton street, meeting said Milton street at the point where the culvert crossing said street leads into the land of William Ovens, thence southeasterly along said Milton street to and across River street to a point where Paradise lane if extended across River street in a southerly direction would meet said Milton street, thence northerly to and across River street to the point of beginning; excepting however from such territory all streets and ways that may be found therein; and may take and hold, by purchase or otherwise, any real or personal estate, rights of way and easements necessary for holding and preserving such water and for conveying the same to any part of said town; and may erect on the land thus taken or held reservoirs, buildings, fixtures and other structures, and may make excavations, procure and operate machinery; may construct and lay down conduits, pipes and other works under or over any lands, water courses, railroads or public or private ways, and along such ways in such manner as not unnecessarily to obstruct the same; and may provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and efficient water works. For the purpose of constructing, main-

taining and repairing such conduits, pipes and other works, and for all proper purposes of this act, said corporation may dig up any such lands, and under the direction of the board of selectmen of the town may enter upon and dig up any such public ways in such manner as to cause the least hindrance to public travel thereon.

May dig up lands, etc.

SECTION 2. Said town of Hyde Park shall have the right at any time to take by purchase or otherwise the franchise, corporate property and all the rights and privileges of said corporation in the franchise and corporate property held within the town of Dedham as herein authorized. If said town of Hyde Park shall take by purchase or otherwise the franchise and corporate property of said corporation it shall pay for the franchise and corporate property of all kinds held within the town of Dedham the total actual cost thereof, including in such cost interest on each expenditure from its date to the date of the purchase or taking, at the rate of five per cent per annum, unless the purchase price is otherwise mutually agreed upon between said town and said corporation. In case said town shall vote to purchase of said corporation said franchise, corporate property, rights and privileges, and cannot agree with said corporation upon the amount of the total actual cost thereof, then upon a suit in equity, either by said town or by said corporation, the supreme judicial court shall ascertain and fix such total actual cost under the foregoing provisions of this act, and shall enforce the right of said town to take possession of said franchise, corporate property, rights and privileges, upon the payment of such cost to said corporation. This authority to take said franchise and property is granted on condition that the same is assented to by said town by a two thirds vote of the voters present and voting thereon at a meeting called for that purpose: *provided*, that not more than three such meetings shall be held in any one year.

Town of Hyde Park may take franchise, property, etc., at any time.

In case of disagreement supreme judicial court to fix cost, etc.

Taking of franchise, etc., to be assented to by a two thirds vote.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved June 25, 1900.

AN ACT RELATIVE TO RAILROAD FARES IN THE SUBURBAN DISTRICT OF BOSTON.

Chap. 395

Be it enacted, etc., as follows:

SECTION 1. Every railroad company having a terminus in Boston, excepting the Boston, Revere Beach and Lynn Railroad Company, shall furnish for the use of passengers

Railroad fares in suburban district of Boston.

travelling to and fro between Boston and any particular point in what is known as the Suburban district, a commutation ticket, for not more than twenty-five trips, at such a price that the fare for each trip shall not exceed the lowest rate now charged between Boston and that particular point, excepting the rate charged by such railroad company for season tickets or for tickets upon workingmen's trains, so-called.

When to take effect.

SECTION 2. This act shall take effect on the first day of July in the year nineteen hundred.

Approved June 25, 1900.

Chap. 396 AN ACT TO AUTHORIZE THE COUNTY OF WORCESTER TO PAY A SUM OF MONEY TO THE WIDOW OF ANDREW J. BARTHOLOMEW.

Be it enacted, etc., as follows :

County of Worcester may pay a certain sum of money to widow of Andrew J. Bartholomew.

SECTION 1. The county of Worcester is hereby authorized to pay to the widow of Andrew J. Bartholomew late justice of the first district court of southern Worcester, who died on the seventeenth day of July in the year eighteen hundred and ninety-nine, the sum of six hundred and eighty-seven dollars and fifty cents, being the amount of salary to which he would have been entitled had he lived and performed the duties of said office until the thirty-first day of December in the year eighteen hundred and ninety-nine.

SECTION 2. This act shall take effect upon its passage.

Approved June 25, 1900.

Chap. 397 AN ACT TO PROVIDE FOR THE CARE AND MAINTENANCE OF INDIGENT AND NEGLECTED CHILDREN.

Be it enacted, etc., as follows :

State board of charity may provide for care, etc., of certain children.

SECTION 1. Upon the written application of the parent or guardian, or, if there is no parent or guardian, of a friend of a child under the age of sixteen years who is dependent upon public charity, or upon the written application of the overseers of the poor of the city or town where such child is found, the state board of charity may in its discretion provide for his care and maintenance.

Certain children to be committed to custody of state board of charity, etc.

SECTION 2. Whenever it is made to appear to any court or magistrate, after due complaint setting forth the facts relied upon, and a hearing thereon, that, within the jurisdiction of such court or magistrate, any child under sixteen years of age, by reason of orphanage, or of

neglect, crime or drunkenness, or other vice of his parents, is growing up without education or salutary control, and in circumstances exposing him to lead an idle and dissolute life, or is dependent upon public charity, the court or magistrate shall, after notice to the state board of charity, commit the child, whether he has or has not a settlement, to the custody of the said board, until he arrives at the age of twenty-one years, or for any less time; and said board shall provide for the care and maintenance of the child without expense to the city or town of his settlement, and may discharge the child from its custody whenever the object of his commitment has been accomplished: *provided, however*, that such child, if he has a settlement, shall be committed to the custody of the overseers of the poor of the place of his settlement, if they so request; and the state board shall transfer its custody of any such children having a settlement to the overseers of the poor of the place of settlement, upon their general or written request, and such transfer shall thereafter relieve the Commonwealth from further liability for their maintenance. The overseers of the poor shall have the same powers as to children committed or transferred to their custody which are given to the state board as to children in its custody. Proviso.

SECTION 3. When any indigent or neglected child is brought on such complaint before a court or magistrate a summons shall be issued requiring the person to whom such summons is directed to appear at the time and place stated in the summons, and show cause, if any there be, why such child should not be committed in accordance with the provisions of section two of this act. Such summons shall be directed to the father of the child if living and resident within the Commonwealth, and if not then to the mother of the child if living and resident within the Commonwealth. If there be no parent living and resident such summons shall be directed to the legal guardian, if there be one, of such child, and if there be none then to the person with whom, according to the statement of such child, which shall be received, such child resides. If there be no such person the court or magistrate before whom such child is brought may appoint some suitable person to act in behalf of such child; and a notice of the hearing shall be sent by such court or magistrate to the state board of charity. The child, parent, guardian or Proceedings in cases of complaint.

other person appearing in behalf of such child, and the state board of charity, shall have a right of appeal from the finding or decision of said court or magistrate to the superior court, civil session, of the county within which said hearing is held, and if upon appeal said child, parent, guardian or other person appearing on behalf of such child, shall fail or be unable to furnish such bail as may be required by the court or magistrate before whom such hearing is held, such child shall be committed to the custody of the state board of charity pending the determination of such appeal.

Children to be placed in private families.
Proviso.

SECTION 4. The children in the care or custody of the state board shall be placed in private families: *provided*, that in case of illness, or change of place, or while awaiting trial, they may be placed in any suitable institution.

Powers, etc., of trustees for children in Boston.

SECTION 5. In the city of Boston the trustees for children shall have the powers and duties herein conferred upon the overseers of the poor in other places.

When to take effect.

SECTION 6. This act shall take effect on the first day of July of the present year. *Approved June 25, 1900.*

Chap.398 AN ACT RELATIVE TO INTEREST TO BE PAID BY CORPORATIONS TO THE COMMONWEALTH ON OVERDUE TAXES.

Be it enacted, etc., as follows:

Corporations to pay interest on overdue taxes.

SECTION 1. All corporations neglecting to pay taxes assessed and certified to the treasurer by the tax commissioner of the Commonwealth shall pay interest at the rate of six per cent per annum on the amount so certified, from the time when such taxes become due until they are paid.

SECTION 2. This act shall take effect upon its passage.

Approved June 25, 1900.

Chap.399 AN ACT RELATIVE TO THE LIMIT OF THE MUNICIPAL DEBT AND THE RATE OF TAXATION IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1885, §12, §1, amended.

SECTION 1. Section one of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five is hereby amended by striking out the first four lines of said section and inserting in place thereof the words: — The taxes assessed on property, exclusive of the state tax, county tax and sums required by law to be raised on account of the city debt, shall not exceed in any year in the city of Boston ten and one half dollars, and in any

other city, — so as to read as follows : — *Section 1.* The taxes assessed on property, exclusive of the state tax, county tax and sums required by law to be raised on account of the city debt, shall not exceed in any year in the city of Boston ten and one half dollars, and in any other city twelve dollars, on every one thousand dollars of the average of the assessors' valuations of the taxable property therein for the preceding three years, the valuation for each year being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment, and any order or appropriation requiring a larger assessment than is herein limited shall be void. Limit of rate of taxation in cities.

SECTION 2. Chapter one hundred and seventy-eight of the acts of the year eighteen hundred and eighty-five and chapter two hundred and eighty-one of the acts of the year eighteen hundred and eighty-seven are hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved June 26, 1900.

AN ACT TO ABOLISH THE POLICE COURT OF GLOUCESTER AND TO ESTABLISH THE DISTRICT COURT OF EASTERN ESSEX.

Chap. 400

Be it enacted, etc., as follows :

SECTION 1. The police court of Gloucester is hereby abolished. Police court of Gloucester abolished.

SECTION 2. A court is hereby established in Gloucester, under the name of the District Court of Eastern Essex, and the district and territory now included in Gloucester, Rockport and Essex shall constitute a judicial district under the jurisdiction of said court. District Court of Eastern Essex established, etc.

SECTION 3. Said court shall have a proper seal, and shall have the same civil and criminal jurisdiction in all respects as that heretofore possessed by the police court of Gloucester. Jurisdiction, etc.

SECTION 4. All civil and criminal cases and proceedings pending in or returnable to said police court of Gloucester when this act takes full effect shall be transferred to or returned into said district court of eastern Essex, which shall thereafter have jurisdiction thereof. Pending proceedings to be transferred, etc.

SECTION 5. There shall be one justice and two special justices and a clerk of said court, appointed in the manner and with the tenure of office respectively provided in the case of justices and clerks of other district courts. All Justices and clerk, etc.

the provisions of law applicable in common to other district courts shall be applicable to said court.

Salaries.

SECTION 6. The salary of the justice of said court shall be eighteen hundred dollars a year, and the salary of the clerk thereof shall be one thousand dollars a year.

Records to remain in custody of clerk.

SECTION 7. The records of said police court of Gloucester shall remain in the custody of the clerk of said district court of eastern Essex.

When to take effect.

SECTION 8. This act shall take effect upon its passage so far as it provides for appointing, commissioning and qualifying the justice and special justices and clerk of the court hereby established, and shall take full effect on the first day of July in the year nineteen hundred.

Approved June 26, 1900.

Chap. 401

AN ACT RELATIVE TO THE NEW BEDFORD POLICE ASSOCIATION.

Be it enacted, etc., as follows :

The New Bedford Police Association may pay a certain sum to members.

SECTION 1. The New Bedford Police Association, a corporation duly established by law, acting by its board of directors, is hereby authorized to pay or cause to be paid from its contingent fund to any member in good standing, upon the death of his wife, the sum of one hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap. 402

AN ACT TO AUTHORIZE THE CITY OF NORTH ADAMS TO TAKE LAND FOR A PUBLIC PARK.

Be it enacted, etc., as follows :

The city of North Adams may take certain land, etc., for a public park.

SECTION 1. The city of North Adams is hereby authorized to take land and rights in land on the east side of North Church street in that city, by gift, purchase, eminent domain or otherwise, and the city is also hereby authorized to take the land on the east side of North Church street, formerly used as a public burial ground and known as the North Church Street Cemetery, the record title to which is in the names of the deacons of the First Baptist Church of North Adams as trustees, and the rights in land and rights of way connected therewith, by purchase, eminent domain or otherwise, and to hold and maintain all such land and rights in land, and rights of way for a public park or common, and may, subject to the provisions of section three of this act, remove the

Removal of remains of dead, etc.

remains of the dead and the monuments erected to their memory in the said cemetery to lots in Southview Cemetery in said city, and shall pay all expenses incident to the removal of the remains and the re-erection of said monuments. The owners of lots in the North Church Street Cemetery shall be entitled to receive by proper conveyance in exchange therefor burial lots in the Southview Cemetery, and in such exchange the relative size, situation and value of lots so exchanged, with all improvements, shall be considered. Said park shall be called Colegrove Park.

Owners of lots to receive burial lots in Southview Cemetery, etc.

SECTION 2. Said city shall fix a time for the removal of said remains and monuments, and shall publish notice thereof once each week for three successive weeks in some newspaper published in the city, the last publication thereof to be at least seven days before the time fixed for said removal.

Notice of time fixed for removal of remains, etc., to be published.

SECTION 3. Upon a request in writing by any relative or friend of one whose remains are to be removed said remains may be interred and said monuments erected in any other cemetery, and the expense of the removal from the North Church Street Cemetery of such remains, for a distance not exceeding twenty miles, their re-interment and the re-erection of any monument to their memory, shall be borne by the city of North Adams.

Expense of removal, etc., to be borne by city in certain cases.

SECTION 4. The deacons of the First Baptist Church of North Adams are hereby authorized to convey said real estate to the city of North Adams.

Real estate may be conveyed to city.

SECTION 5. The city council of North Adams shall estimate and determine as near as may be, and the city shall pay, all damages sustained by any person or corporation by the taking of land or rights in land in execution of the powers herein granted, but any party aggrieved by such determination may have the damages assessed, and they may be recovered, in the manner provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages shall be increased beyond the award the party shall recover costs; otherwise he shall pay costs, and costs shall be taxed as in civil cases. Within sixty days after the taking of any land under this act the city of North Adams shall file and cause to be recorded in the proper registry of deeds a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same was

Damages.

Description of land to be recorded, etc.

taken ; and no suit for damages shall be brought after the expiration of two years from the date of such recording.

May incur indebtedness beyond debt limit, issue notes, etc.

SECTION 6. The city of North Adams may raise, appropriate and expend such sums of money as may be deemed best for the purposes of this act and the improvement of the said park, and may incur indebtedness beyond the limit of indebtedness fixed by law and may issue notes or scrip therefor. But the indebtedness so incurred beyond the debt limit shall not exceed one fourth of one per cent of the assessed valuation of North Adams. The securities so issued shall be payable within thirty years from the date thereof, and it shall not be necessary to establish a sinking fund for the payment of the same unless the city shall so vote. The provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall, except as herein otherwise provided, apply to the indebtedness hereby authorized and to the securities issued hereunder.

P. S. 29, etc., to apply.

SECTION 7. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap. 403 AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH THE WORK OF EXTERMINATING THE GYPSY MOTH.

Be it enacted, etc., as follows :

Extermination of gypsy moth.

SECTION 1. A sum not exceeding eighteen thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to be expended under the direction of the state board of agriculture, as authorized by chapter two hundred and ten of the acts of the year eighteen hundred and ninety-one, for meeting expenses in connection with the extermination of the gypsy moth between the first day of January and the first day of May of the present year.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap. 404 AN ACT RELATIVE TO CONTRACTS BETWEEN CITIES AND TOWNS AND THE MASSACHUSETTS HIGHWAY COMMISSION FOR THE CONSTRUCTION OF STATE HIGHWAYS.

Be it enacted, etc., as follows :

1904, 497, § 4, amended.

SECTION 1. Section four of chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the word

“thirty”, in line thirteen, and inserting in place thereof the word:—ten,—so as to read as follows:—*Section 4.* Said commission shall, when about to construct any highway, give to each city and town in which said highway lies a certified copy of the plans and specifications for said highway, with a notice that said commission is ready for the construction of said road. Such city or town shall have the right, without advertisement, to contract with said commission for the construction of so much of such highway as lies within its limits, in accordance with the plans and specifications, and under its supervision and subject to its approval, at a price agreed upon between said commission and said city or town. If said city or town shall not elect to so contract within ten days said commission shall advertise in two or more papers published in the county where the road or portion of it is situated, and in three or more daily papers published in Boston, for bids for the construction of said highway under their supervision and subject to their approval, in accordance with plans and specifications to be furnished by said commission. Such advertisement shall state the time and place for opening the proposals in answer to said advertisements, and reserve the right to reject any and all proposals. All such proposals shall be sealed and shall be kept by the board, and shall be open to public inspection after said proposals have been accepted or rejected. Said commission may reject any or all bids, or if a bid is satisfactory they shall, with the approval of the governor and council, make a contract in writing on behalf of the Commonwealth for said construction, and shall require of the contractor a bond for at least twenty-five per cent of the contract price to indemnify any city or town in which such highway lies, against damage while such road is being constructed; and the Commonwealth shall not be liable for any damage occasioned thereby. All construction of state roads shall be fairly apportioned by said commission among the different counties, and not more than ten miles of state road shall be constructed in any one county in any one year on petition as aforesaid, without the previous approval thereof in writing by the governor and council.

Construction of highways, notice to cities and towns, bids, proposals, etc.

Construction to be apportioned among the different counties.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap. 405 AN ACT TO ESTABLISH A BOARD OF SURVEY FOR THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Board of Survey
for Cambridge,
appointment,
terms, etc.

SECTION 1. The mayor of the city of Cambridge shall appoint, in January in the year nineteen hundred and one, subject to confirmation by the board of aldermen of said city, three persons, citizens of said city, to constitute a Board of Survey for said city, to serve, one for the term of one year, one for the term of two years and one for the term of three years from the first day of January in said year and until their respective successors are appointed and confirmed; and thereafter the mayor of said city shall appoint annually, in the month of January, subject to confirmation by the board of aldermen of said city, one citizen of said city, to serve as a member of said board for the term of three years from the first day of January in that year or until his successor is appointed and confirmed. Any vacancy occurring in said board shall be filled by an appointment as aforesaid for the remainder of the unexpired term. The salaries of the members of said board shall be fixed by ordinance.

Vacancy, etc.

Plans of streets
or ways to be
submitted to
board, etc.

SECTION 2. Any person or corporation contemplating laying out or locating and constructing any street or way in said city after the passage of this act shall before beginning such construction submit to said board of survey suitable plans, to be prepared in accordance with such rules and regulations as said board may prescribe. Upon the receipt of such plans, together with a petition for their approval, said board shall give a public hearing thereon, after advertising such hearing once a week for two successive weeks in a newspaper published in said city, the last advertisement to be at least two days before the hearing; and after such hearing said board may alter such plans and determine where such street or way shall be located, and the widths and grades thereof, and shall so designate on said plans. Said plans shall then be approved, signed by said board, marked as made under the provisions of this act, and filed in the office of the city engineer of said city, who shall attest thereon the date of filing.

Public hearing
to be given, etc.

Plans to be
made showing
location of
streets or ways,
etc.

SECTION 3. The board of survey shall from time to time cause to be made under its direction plans of such territory or sections of land in said city as said board

may deem necessary, showing thereon the location of such streets or ways, whether already laid out or not, as said board shall be of opinion the present or future interests of the public will require in such territory, showing clearly the directions, widths and grades of each street or way, and may employ such assistants and incur such expenses as it may deem necessary therefor, not exceeding the amount of money appropriated by the city for the purpose. Before making any such plan the board shall give a public hearing as to the locations, directions, widths and grades of streets or ways in the territory to be shown on the plan, after advertising such hearing once a week for two successive weeks in a newspaper published in said city, the last advertisement to be at least two days before such hearing, and shall, after making any such plan, give a like notice of hearing, and a hearing thereon, and keep the plan open to public inspection for one month after the first advertisement of such hearing. After such hearing and after the alterations deemed necessary by said board have been made in such plan the plan shall be approved, signed, marked, filed and attested as provided in case of plans mentioned in section two of this act.

Public hearing
to be given, etc.

SECTION 4. The powers of the city council of said city and of either branch thereof in regard to highways shall not be abridged by this act in any manner, except as provided in this section. After the passage of this act no street or way in the city of Cambridge shown on any plan filed as aforesaid shall be laid out, located anew, altered, widened or changed in grade, and no such street or way, whether already or hereafter laid out, shall be constructed by any public authority, except in accordance with the provisions of this act. If any person or corporation shall hereafter open for public travel any private way, the location, direction, widths and grades of which have not previously been approved in writing by said board of survey in the manner provided in this act, then neither the city nor any other public authority shall place any public sewer, drain, water pipe or lamp in, or do any public work of any kind on, any private way opened to public travel contrary to the provisions of this act: *provided, however,* that this provision shall not prevent the laying of a trunk sewer, water or gas main, if it be required by engineering necessities.

Certain powers
of city council,
etc., not
abridged.

Construction of
streets or ways,
etc.

Proviso.

SECTION 5. If any building shall hereafter be placed or erected in said city upon land within the boundaries of

Erection, etc.,
of buildings at
grades other

than those
filed, etc.

any street or way shown on any of the plans filed as aforesaid, or on land adjacent to any such street or way the grade of which at the time of placing or erecting such building is other than the grade shown on said plans, or on land adjacent to any street or way the plan and profile of which has not been approved by said board of survey, no damages caused to any building so placed or erected by the construction of such street or way, as shown on said plans, or caused to any building so placed or erected, or to the land upon which said building is placed or erected, by the subsequent change of grade of any street or way, the plan of which has not been approved by said board of survey, shall be recovered by or paid to the owner of the whole or any part of the estate of which the land upon which said building so placed or erected formed a part at the date of the first advertisement of hearing as aforesaid.

Appropriations.

SECTION 6. Said city may from time to time appropriate sums of money to be expended by said board of survey for carrying out the provisions of this act. No expenditures shall be made in excess of such appropriations.

SECTION 7. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap.406 AN ACT TO ESTABLISH THE SALARIES OF THE RAILROAD COMMISSIONERS.

Be it enacted, etc., as follows:

Railroad commissioners.

SECTION 1. The annual salary of the chairman of the board of railroad commissioners shall be five thousand dollars, and that of the other commissioners four thousand dollars each.

Repeal.

SECTION 2. So much of section ten of chapter one hundred and twelve of the Public Statutes as is inconsistent with this act is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap.407 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF PATRICK J. MCCARTHY.

Be it enacted, etc., as follows:

City of Boston may pay a sum of money to

SECTION 1. The city of Boston is hereby authorized to pay to Julia B. McCarthy, widow of Patrick J. McCarthy

late a member of the fire department of the city of Boston, the remainder of the salary to which he would have been entitled had he lived and continued to serve as a member of such department until the close of the present fiscal year.

Julia B. McCarthy.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

AN ACT TO ESTABLISH THE SALARIES OF THE JUDGES OF PROBATE AND INSOLVENCY FOR THE COUNTY OF WORCESTER AND THE COUNTY OF ESSEX.

Chap.408

Be it enacted, etc., as follows:

SECTION 1. The judges of probate and insolvency for the county of Worcester and for the county of Essex shall each receive a salary of forty-five hundred dollars a year.

Judges of probate and insolvency, Worcester and Essex counties.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

AN ACT RELATIVE TO TRIALS OF SPEED AND STRENGTH UPON GROUNDS OF ASSOCIATIONS FOR ENCOURAGING THE RAISING OF CHOICE BREEDS OF HORSES.

Chap.409

Be it enacted, etc., as follows:

SECTION 1. Associations formed under chapter one hundred and fifteen of the Public Statutes and acts in addition thereto and amendment thereof, for encouraging the raising of choice breeds of horses, may establish and maintain suitable grounds for exhibitions and trials of speed or strength of horses; may arrange for and advertise such exhibitions and trials upon such grounds; may collect admission fees from persons desirous of witnessing such exhibitions or trials, and may award purses or premiums to the participants therein: *provided*, that such purses or premiums are raised solely from voluntary subscriptions to the funds of such associations, charges for admission to witness such exhibitions and trials, and entry fees paid for entering horses in such exhibitions and trials.

Certain associations may maintain grounds for exhibitions and trials of speed or strength of horses, etc.

Provided.

SECTION 2. This act shall not affect or repeal any law relative to gaming, betting or pool selling.

Certain laws not affected, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap.410 AN ACT TO PROVIDE BETTER ACCESS FOR BOATS TO MANCHESTER HARBOR UNDER THE TRACKS OF THE BOSTON AND MAINE RAILROAD.

Be it enacted, etc., as follows:

Better access for boats to Manchester harbor to be provided.

SECTION 1. The Boston and Maine Railroad shall, within one year after the acceptance of this act, so alter and thereafter maintain its road and roadbed in the town of Manchester, that at the present drawbridge in Manchester harbor, or not more than two hundred feet therefrom, row boats may conveniently enter the harbor under the tracks of the railroad at all stages of the ordinary tides; but nothing in this act shall be construed as requiring said Boston and Maine Railroad to raise its tracks above the present level thereof at any point. Such alteration shall be made subject to the approval of the board of harbor and land commissioners, and said town shall pay to said railroad one half-part of the expense of said alteration as determined and certified by said board.

Town of Manchester may appropriate money.

SECTION 2. The town of Manchester may, at any town meeting called for the purpose, appropriate money to meet its share of the expense of making the alteration authorized by this act.

When to take effect.

SECTION 3. This act shall take effect upon its passage so far as to allow said town to vote upon the acceptance of the same, but it shall not take full effect until it has been accepted by a majority of the legal voters of said town present and voting thereon at an annual town meeting or at a special meeting duly called for the purpose within one year from the date of its passage.

Approved June 27, 1900.

Chap.411 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF WILLIAM J. RYAN.

Be it enacted, etc., as follows:

City of Boston may pay a sum of money to widow of William J. Ryan.

SECTION 1. The city of Boston is hereby authorized to pay to the widow of William J. Ryan late lieutenant of fire engine company number seven in the city of Boston, the remainder of the salary to which he would have been entitled had he lived and continued to perform his duties as such lieutenant until the first day of January in the year nineteen hundred.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY *Chap.412*
TO CATHERINE C. DODGE.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to pay to Catherine C. Dodge, widow of Enos E. Dodge late a member of the police department of said city, the remainder of the salary to which he would have been entitled had he lived and continued to serve as a police officer until the close of the financial year eighteen hundred and ninety-nine.

City of Boston may pay a sum of money to Catherine C. Dodge.

SECTION 2. This act shall take effect upon its passage.

Approved June 27, 1900.

AN ACT TO AUTHORIZE THE BOARD OF METROPOLITAN PARK COMMISSIONERS TO GRANT LOCATIONS TO STREET RAILWAY COMPANIES. *Chap.413*

Be it enacted, etc., as follows:

SECTION 1. The board of metropolitan park commissioners shall have authority to grant locations, as provided herein, to street railways within the roads, boulevards, parks and reservations in its care and control.

Metropolitan park commissioners may grant locations to street railways.

SECTION 2. Said board, upon petition of the directors of a street railway company, or of a majority thereof, for such location, shall give notice to all parties interested of the time and place at which the board will give a hearing upon such petition, at least fourteen days before the hearing, by publication in one or more newspapers published in each city or town in which the location petitioned for would lie, and if none such is published then by publication in one or more newspapers published in each county in which the location petitioned for would lie; and after hearing, if in the opinion of the board public convenience and necessity so require, it may grant such location, or any part thereof, upon such terms, conditions and obligations, and for such compensation, as the public interest and a due regard for the rights of the Commonwealth may require: *provided*, that nothing herein contained shall authorize the said board to grant a location for poles and overhead wires in any road, boulevard, park or parkway, without the approval of the governor and council. Such locations shall be void unless accepted in writing by the directors of such railroad company, or by a majority thereof, within thirty days after receiving notice thereof.

To give notice of time and place of hearing, etc.

Proviso.

Locations may be extended or revoked, etc.

Provisos.

Copy of order to permit location, etc., to be deposited with clerk of city or town.

Certain share of tax paid by street railway companies to be apportioned to the Commonwealth, etc.

Certain provisions of law to apply, etc.

SECTION 3. Said board may by order alter, extend or revoke any location granted by it whenever in its opinion the public interest or the rights of the Commonwealth so require: *provided, however*, that before so doing notice and hearing shall be given to the company and all persons interested, as provided in section two of this act; and *provided, further*, that any railroad company or any persons interested in any such order may appeal therefrom to the governor and council, within fourteen days after the filing of a copy of such order as hereinafter provided.

SECTION 4. Said board, within fourteen days after making any order which operates to permit a use or location hereunder to any street railway, or an extension, alteration or revocation of a use or location previously granted, shall deposit a copy of such order in the office of the clerk of the city or town within which the location or use is permitted, altered, extended or revoked, and the clerk of that city or town shall receive and record the same.

SECTION 5. The share of the tax paid by any street railway company operating hereunder, into the treasury of the Commonwealth, which would under other provisions of law be apportioned to the city or town within which its tracks laid hereunder are situated, shall be apportioned to the Commonwealth and credited by the treasurer to the sinking fund of the loan to which the expenditure for the road, boulevard, park or reservation in which the tracks are located was charged.

SECTION 6. All street railway companies operating hereunder shall remain subject to the duties and liabilities imposed by other provisions of law not inconsistent herewith, and shall have the powers, duties and rights herein authorized, all of which shall be in addition to and in amendment of any charter or special provision of law or of the general laws under which they are organized.

SECTION 7. This act shall take effect upon its passage.

Approved June 27, 1900.

Chap. 414 AN ACT TO REQUIRE STREET RAILWAY COMPANIES TO ENCLOSE THE PLATFORMS OF CARS DURING CERTAIN MONTHS OF THE YEAR.

Be it enacted, etc., as follows:

Certain cars to have platforms enclosed, etc.

SECTION 1. All street cars hereafter purchased, built or rebuilt by any street railway company and used for the transportation of passengers during the months of January,

February, March and December, and all cars in use for the transportation of passengers during said months after the first day of November in the year nineteen hundred and two, except as otherwise provided in section two, shall have their platforms enclosed in such manner as to protect the motormen, conductors or other employees operating the cars from exposure to wind and weather, and in such manner as the board of railroad commissioners shall approve.

SECTION 2. Any street railway company operating cars in a city of more than one hundred and fifty thousand inhabitants may, on or before the first day of October in the year nineteen hundred, petition the board of railroad commissioners to be exempted from the provisions of this act so far as relates to such lines or routes owned or controlled by said company, where said company claims cars cannot be operated with safety; and if after hearing and investigation said board decides that in its opinion street cars with the platform enclosed, as required by section one of this act, cannot be operated with safety in such city, upon any or all of its lines or routes, this act shall not be applicable to said company, its officers or cars, so far as relates to such lines or routes so decided to be unsafe for such operation. Said board shall render its decision on all petitions brought under this section, with the reasons for such decision, on or before the first day of January in the year nineteen hundred and one, but said decision shall at any time be subject to revision by said board. If however said board shall decide adversely to the claim of said company in regard to any lines or routes included in said petition, then said petitioning railway company shall enclose the platforms of its cars operated on such lines or routes, in the manner provided in section one, within such time as said board shall deem reasonably requisite, not however exceeding four years from the date of the decision of the said board.

Not to apply to certain cars, etc.

SECTION 3. The term "car", as used herein, includes all street cars operated by steam, cable or electricity which require while in motion the constant care or service of an employee upon the platforms or upon one of the platforms of the car. The term "company", as used herein, includes any corporation, partnership or person owning or operating a street railway.

Certain terms defined.

SECTION 4. Any street railway company which fails or neglects to comply with the provisions of this act shall be punished by a fine not exceeding one hundred dollars

Penalty.

for each day during which such failure or neglect continues.

Liability for violation of act.

SECTION 5. The superintendent or manager of any street railway, and any other officer or agent thereof, who causes or permits any violation of this act, shall be jointly and severally liable with the company employing him to the fine hereinbefore designated, and in default of payment may be committed to jail until his fine is paid: *provided*, that he shall not so be committed for a period longer than three months.

Proviso.

Repeal.

SECTION 6. So much of chapter four hundred and fifty-two of the acts of the year eighteen hundred and ninety-seven as is inconsistent herewith is hereby repealed.

Approved June 27, 1900.

Chap.415 AN ACT RELATIVE TO THE SUMMONING OF WITNESSES BEFORE THE MAYOR AND CHIEF OF POLICE OF THE CITY OF NEWTON.

Be it enacted, etc., as follows:

Witnesses may be summoned before mayor or chief of police of Newton, etc.

SECTION 1. Witnesses may be summoned to attend and testify and to produce books and papers before the mayor or chief of police of the city of Newton at any investigation or hearing before them or either of them as to matters relating to the discipline, efficiency, appointment or removal of police officers. Such witnesses shall be summoned in the same manner and paid the same fees as if they were witnesses before police courts. Said mayor or chief of police may administer oaths to witnesses appearing before them or either of them, and may admit voluntary testimony at any such investigation or hearing.

Witnesses may be compelled to give testimony.

SECTION 2. Any justice of the supreme judicial court or of the superior court upon the application of said mayor or chief of police may in his discretion compel the giving of testimony by such witness or witnesses before said mayor or chief of police in the same manner and to the same extent as before said courts.

SECTION 3. This act shall take effect upon its passage.

Approved June 28, 1900.

Chap.416 AN ACT RELATIVE TO COLLECTORS OF AND DEALERS IN JUNK, OLD METALS AND SECOND HAND ARTICLES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Board of police of Boston may license junk collectors, etc.

SECTION 1. The board of police for the city of Boston may license suitable persons as junk collectors, to collect

by purchase or otherwise junk, old metals and second hand articles from place to place in the city of Boston, and may revoke such licenses at pleasure. All provisions of law relating to the fees for and to the issuing, recording and revocation of licenses of keepers of shops for the sale of junk shall apply to the said junk collectors' licenses, excepting that the fee so charged shall not exceed two dollars.

SECTION 2. The said board may provide that junk collectors shall display badges upon their persons or upon their vehicles, or upon both, when engaged in collecting, transporting or dealing in junk, old metals or second hand articles, and may prescribe the design thereof.

May provide that junk collectors shall display badges.

SECTION 3. The city of Boston may provide by ordinance that every keeper of a shop within its limits for the purchase, sale or barter of junk, old metals or second hand articles, shall keep a book in which shall be written at the time of every purchase of any such article a description thereof, the name, age and residence of the person from whom, and the day and hour when, such purchase was made; that such book shall at all times be open to the inspection of the mayor and aldermen, board of police or any person by them respectively authorized to make such inspection; that every keeper of such shop shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed in large letters; that such shop and all articles of merchandise therein may at all times be examined by the mayor and aldermen, board of police, or by any person by them respectively authorized to make such examination; and that no keeper of such shop and no junk collector shall directly or indirectly either purchase or receive by way of barter or exchange any of the articles aforesaid of a minor or apprentice, knowing or having reason to believe him to be such; and that no article purchased or received by any keeper of such shop shall be sold until a period of at least one week from the date of its purchase or receipt has elapsed. The city may also prescribe in like manner the hours in which such shops shall be closed, and that no keeper thereof and no junk collector shall purchase any of the articles aforesaid during such hours.

Keepers of shops in Boston for the purchase and sale of junk, etc., may be required to keep a record of purchases, etc.

City may prescribe hours for closing shops.

SECTION 4. Every such rule, regulation and restriction shall be incorporated in every license to which it may apply.

Rules, etc., to be incorporated in license.

Penalty.

SECTION 5. Whoever not being so licensed keeps such shop or is such junk collector in the city of Boston, or being licensed keeps such shop or is such junk collector in any other place or manner than that designated in his license, or after notice to him that his license has been revoked, shall forfeit twenty dollars for every such offence; and whoever violates any rule, regulation or restriction contained in his license shall forfeit a sum not exceeding twenty dollars for each offence. *Approved June 28, 1900.*

Chap.417 AN ACT TO AUTHORIZE THE BLUE HILL STREET RAILWAY COMPANY TO EXTEND ITS RAILWAY INTO THE TOWN OF HYDE PARK.

Be it enacted, etc., as follows:

May extend its
railway into
Hyde Park.

SECTION 1. The Blue Hill Street Railway Company is hereby authorized to construct, maintain and operate its railway in highways and town ways of the town of Hyde Park wherein locations therefor may hereafter be granted by the board of selectmen of that town, with all the powers and privileges and subject to all the duties, liabilities and restrictions now or hereafter in force relating to street railways.

SECTION 2. This act shall take effect upon its passage.

Approved June 28, 1900.

Chap.418 AN ACT RELATIVE TO PROCEEDINGS BEFORE AUDITORS.

Be it enacted, etc., as follows:

Proceedings
before auditors.

SECTION 1. In any cause which has been committed to an auditor the court in which the cause is pending may, upon application of either party thereto, appoint a day certain for the trial thereof before the auditor; and if such order be made the trial shall be had upon the day appointed, and shall proceed, unless the parties otherwise agree or the auditor otherwise orders, from day to day until the conclusion thereof. If either party neglects to appear at the time appointed for such trial or at any adjournment thereof, without good cause, or if at such trial either party shall wilfully refuse to produce in good faith, the testimony relied upon by him, the auditor may report such neglect or refusal to the court, and thereupon the party so neglecting or refusing shall be subject to default or nonsuit in the court as the case may be.

SECTION 2. Chapter four hundred and fifty-one of the acts of the year eighteen hundred and ninety is hereby

1890, 451,
amended.

amended by inserting after the word “ courts”, in each instance where it occurs in the third and fourth lines, the words : — or before an auditor appointed by either of said courts, — so as to read as follows:—An attorney of record in the supreme judicial court or superior court, when actually engaged in the trial of a cause in either of said courts, or before an auditor appointed by either of said courts, shall not be obliged to proceed to the trial of any other cause in either of said courts or before an auditor appointed by either of said courts, unless it shall appear to the court in any particular case that it is just and reasonable that he should so proceed.

Engagements
of attorneys in
the courts or
before an
auditor, etc.

Approved June 28, 1900.

AN ACT TO ESTABLISH THE SALARY OF THE CLERK OF THE POLICE COURT OF BROCKTON AND TO PROVIDE CLERICAL ASSISTANCE FOR SAID COURT.

Chap.419

Be it enacted, etc., as follows :

SECTION 1. The salary of the clerk of the police court of Brockton shall be thirteen hundred dollars a year, to be so allowed from the first day of July in the year nineteen hundred.

Clerk of police
court of Brock-
ton.

SECTION 2. There shall be allowed for clerical assistance, upon a certificate from the justice of the court stating that the work was actually performed and was necessary, and giving the time occupied and the name of the person by whom the work was done, such sums, not exceeding two hundred dollars in any one year, as the county commissioners for the county of Plymouth shall approve, by a writing signed by them. Such sums shall be paid monthly from the treasury of the county to the person employed.

Clerical assist-
ance.

SECTION 3. This act shall take effect upon its passage.

Approved June 28, 1900.

AN ACT MAKING APPROPRIATIONS FOR THE CARE AND MAINTENANCE OF THE NANTASKET BEACH AND CHARLES RIVER RESERVATIONS UNDER THE CONTROL OF THE METROPOLITAN PARK COMMISSION.

Chap.420

Be it enacted, etc., as follows :

SECTION 1. The sums hereafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to meet expenses during

Appropriations.

the year ending on the thirty-first day of December in the year nineteen hundred, to wit: —

Care, etc., of
Nantasket
beach.

For the care and maintenance of Nantasket beach by the metropolitan park commission, a sum not exceeding sixty-five hundred dollars, this amount to be reimbursed to the Commonwealth by the towns and cities in the metropolitan parks district, in accordance with the provisions of chapter four hundred and sixty-four of the acts of the year eighteen hundred and ninety-nine.

Care, etc., of
Charles river
reservation.

For the care and maintenance of the Charles river reservation, including the Charles river, Neponset river and the Mystic river, within the metropolitan district, a sum not exceeding thirty-five hundred dollars, this amount to be reimbursed to the Commonwealth by the towns and cities in the metropolitan parks district, in accordance with the provisions of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three.

SECTION 2. This act shall take effect upon its passage.

Approved June 28, 1900.

Chap. 421 AN ACT TO TRANSFER THE CARE, CUSTODY AND CONTROL OF PARTS OF NANTASKET AVENUE AND OTHER PUBLIC WAYS IN THE TOWN OF HULL TO THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Metropolitan
park commis-
sion to have
care, custody,
etc., of certain
public ways in
Hull, etc.

SECTION 1. The metropolitan park commission shall have exclusive care, custody and control, including police protection, of that part of County road known as Nantasket avenue, in the town of Hull, and of other public ways in said town which abut upon the lands already acquired by the Commonwealth through said commission for the Nantasket beach reservation, and shall have the same power to make and enforce reasonable rules and regulations for the use of said ways as it now has with respect to the reservations of the metropolitan park system; but nothing in this act shall be deemed to permit the erection of a fence between the land of private citizens and the ocean front; and nothing herein shall limit the right of the inhabitants of Hull and the general public to enter upon and pass over and use said ways as public highways.

Certain rights
of town not
affected.

SECTION 2. Nothing herein shall affect the rights of said town to lay and maintain wires, water and gas pipes and mains in said highways, and to erect, maintain and

operate hydrants, and to erect and maintain therein poles for electric lights or cars, and to string wires thereon, nor its rights to grant or revoke locations in said highways to street railway companies; and nothing herein shall be deemed to affect the location of the Hull Street Railway Company in the above mentioned part of said County road.

SECTION 3. The liability arising out of any defects in said ways or parts of ways, and the proceedings for enforcement thereof, shall be the same as are provided by chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four.

Certain provisions of law to apply.

SECTION 4. This act shall take effect upon its passage.

Approved June 28, 1900.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF ESSEX TO PAY A SUM OF MONEY TO THE WIDOW OF JOHN N. PIKE.

Chap. 422

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex are hereby authorized to pay to the widow of John N. Pike late justice of the police court of Newburyport, who died on the third day of May in the year nineteen hundred, the remainder of the salary which he would have been entitled to receive had he lived and continued to serve as such justice until the end of said year.

County of Essex may pay a sum of money to widow of John N. Pike.

SECTION 2. This act shall take effect upon its passage.

Approved June 28, 1900.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF MARTIN F. McDONALD.

Chap. 423

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to pay to Annie E. McDonald, widow of Martin F. McDonald late an engineer in the fire department of said city, the remainder of the salary to which he would have been entitled had he lived and continued to hold his office until the first day of January in the year nineteen hundred.

City of Boston may pay a sum of money to Annie E. McDonald.

SECTION 2. This act shall take effect upon its passage.

Approved June 28, 1900.

Chap. 424 AN ACT TO AUTHORIZE THE SALE OF THE CENTRAL MASSACHUSETTS RAILROAD TO THE BOSTON AND MAINE RAILROAD.

Be it enacted, etc., as follows:

Central Massachusetts Railroad Company may sell its rights, property, etc., to the Boston and Maine Railroad, etc.

SECTION 1. If, within sixty days from the passage of this act, the Central Massachusetts Railroad Company, at a meeting called for the purpose, by vote of the holders of a majority of its capital stock, both preferred and common, and also by vote of the holders of a majority of its preferred capital stock, shall vote to sell its rights, franchises and property to the Boston and Maine Railroad, subject to the lease of said Central Massachusetts Railroad Company to the Boston and Lowell Railroad Corporation, and to all other legal incumbrances, and the holders of a majority of the stock of the Boston and Maine Railroad, at a meeting called for the purpose, shall vote to purchase said rights, franchises and property, the Boston and Maine Railroad shall have authority to effect said purchase, either by exchanging its common stock for the preferred and common stock of said Central Massachusetts Railroad Company in such proportions as may be fixed by the board of railroad commissioners of this Commonwealth, or, at the option of the Boston and Maine Railroad, by paying cash for said preferred and common stock at such prices as said railroad commissioners may determine. The Boston and Maine Railroad, conforming to all general laws on the subject, may increase its capital stock and issue shares thereof to such amount as may be required for the purposes of this act.

Boston and Maine Railroad may increase its capital stock, etc.

Stockholders shall be deemed to assent to purchase unless declaration of dissent is filed, etc.

Proviso.

How shares of dissenting stockholders shall be valued, etc.

SECTION 2. Every stockholder of the selling corporation shall be deemed to assent to the purchase authorized by this act, unless, within thirty days from the date of the special meeting of the selling corporation heretofore authorized, he shall file with the clerk of the seller a writing declaring his dissent therefrom and stating the number of shares held by him and the number or numbers of the certificate or certificates evidencing the same: *provided, however*, that, as against any stockholder legally incapacitated from acting for himself and having no legal guardian, said period of thirty days shall not begin to run until the removal of such incapacity by the appointment of a legal guardian or otherwise. The shares of any stockholder dissenting as above specified shall be acquired by the seller and shall be valued, and the value thereof be paid or ten-

dered or deposited to or for account of such stockholder in the manner following:— Within thirty days from the filing of any stockholder's dissent, as above provided, the seller shall file its petition with the supreme judicial court sitting within and for the county of Suffolk, setting forth the material facts and praying that the value of such dissenting stockholder's shares may be determined. Thereupon, after such notice to all parties concerned as it may deem proper, said court shall pass an order requiring such dissenting stockholder's certificate of stock to be deposited with the clerk of said court, and shall appoint three commissioners to ascertain and report the value of such dissenting stockholder's shares. Such report shall be made to the court as soon as practicable, and, after due notice to the parties in interest, shall be accepted by the court unless before such acceptance either of the parties to said proceeding shall claim a trial by jury, in which case the court shall order the value of said shares to be tried and determined by a jury in the same manner as other civil cases are tried in said court. The said commissioners' report, or such verdict when accepted by the court, shall be final and conclusive as to the value of such dissenting stockholder's shares, and the amount so ascertained as such value shall at once be paid or tendered to such stockholder; or, if such payment or tender be impracticable, the money shall be paid into court. Upon such payment or tender or deposit the shares of such dissenting stockholder and the certificate or certificates thereof shall become the property of the seller, whose right and title thereto may be enforced by the court by any appropriate order or process. Exceptions may be taken to any ruling or order of said court, to be heard and determined by the full court as in other civil cases. Said court may make all such orders for the enforcement of the rights of any party to the proceedings, for the consolidation of two or more petitions and their reference to the same commissioners, for the consolidation of claims for a trial by jury and the trial of two or more cases by the same jury, for the deposit of money in court, and for the payment of interest upon the value of the stockholder's shares, as determined, and the payment of costs by one party to the other, as justice and the speedy settlement of the matters in controversy may require.

How shares of dissenting stockholders shall be valued, etc.

Court may make orders for enforcement of rights of certain parties, etc.

SECTION 3. Stock received by the purchasing corporation, either in exchange for its own stock or on the

Certain stock to become the property of

purchasing cor-
poration.

payment of money as herein provided, shall become the property of the purchasing corporation.

SECTION 4. This act shall take effect upon its passage.

Approved June 29, 1900.

Chap.425

AN ACT RELATIVE TO THE HOURS OF LABOR OF EMPLOYEES OF COUNTY JAILS AND HOUSES OF CORRECTION.

Be it enacted, etc., as follows :

Hours of labor
of employees of
county jails and
houses of cor-
rection regu-
lated.

The hours of labor for employees of county jails and houses of correction shall not exceed sixty hours a week. Any county officer who violates this act by inducing or compelling any employee to work more than sixty hours a week shall be punished by a fine of not less than twenty-five nor more than fifty dollars for each offence.

Approved June 29, 1900.

Chap.426

AN ACT TO RATIFY AND CONFIRM THE CONTRACT OF LEASE BETWEEN THE BOSTON AND MAINE RAILROAD AND THE FITCHBURG RAILROAD COMPANY.

Be it enacted, etc., as follows :

Contract of
lease between
Boston and
Maine Railroad
and Fitchburg
Railroad Com-
pany con-
firmed, etc.

SECTION 1. The contract of lease between the Boston and Maine Railroad and the Fitchburg Railroad Company, as heretofore approved by a majority of the stockholders of each corporation at meetings called for the purpose, is ratified and confirmed, and the lessor and lessee and each of them are hereby granted all power and authority necessary and proper to give the terms of said contract full operation and effect. Said contract shall be executed on behalf of each of said corporations by its president and countersigned by its treasurer, and a copy thereof, certified as such by the clerks of the two corporations, shall be filed with the secretary of the Commonwealth.

Governor and
council may sell
to Boston and
Maine Railroad
the common
stock of Fitch-
burg Railroad
Company
owned by the
Commonwealth,
etc.

SECTION 2. The governor and council, pursuant to the terms of said contract of lease, are hereby authorized to sell to the Boston and Maine Railroad the fifty thousand shares of the common stock of the Fitchburg Railroad Company now owned by the Commonwealth, and to receive in full payment therefor, five million dollars par value of the Boston and Maine Railroad fifty year gold bonds, bearing interest at the rate of three per cent per annum from the first day of July in the year nineteen hundred. The said bonds, as also any others issued pursuant to the terms of said lease in payment for shares of

the common stock of said Fitchburg Railroad Company held by private owners, shall be in addition to any bonds heretofore or hereafter authorized by charter or general law, and the shares of said common stock so purchased with said bonds, while remaining in the treasury of the Boston and Maine Railroad, shall be free from taxation: *provided, however*, that said common shares shall not be divided among the stockholders of the Boston and Maine Railroad, or otherwise disposed of, excepting by sale at auction, or at private sale, at a price to be approved by the board of railroad commissioners.

SECTION 3. Every stockholder of either the lessor or the lessee shall be deemed to assent to the contract of lease authorized by this act, unless within ninety days from the first day of July in the year nineteen hundred he shall file with the clerk of the lessee a writing declaring his dissent therefrom and stating the number of shares held by him and the number of the certificate or certificates evidencing the same: *provided, however*, that as against any stockholder legally incapacitated from acting for himself and having no legal guardian, said period of ninety days shall not begin to run until the removal of such incapacity by the appointment of a legal guardian or otherwise. The shares of any stockholder dissenting as above specified shall be acquired by the lessee and shall be valued and the value thereof be paid or tendered or deposited to or for the account of such stockholder in the manner following: — Within thirty days from the filing of any stockholder's dissent, as above provided, the lessee shall file its petition with the supreme judicial court sitting within and for the county of Suffolk, setting forth the material facts and praying that the value of such dissenting stockholder's shares may be determined. Thereupon, after such notice to all parties concerned as it may deem proper, said court shall pass an order requiring such dissenting stockholder's certificate of stock to be deposited with the clerk of said court, and shall appoint three commissioners to ascertain and report the value of such dissenting stockholder's shares on the first day of July in the year nineteen hundred. Said report shall be made to the court as soon as practicable and, after due notice to the parties in interest, shall be accepted by the court unless before such acceptance either of the parties to said proceeding shall claim a jury, in which case the court shall order the value of said shares to be tried and determined by a jury in the same manner as

Proviso.

Stockholders shall be deemed to assent to contract unless declaration of dissent is filed, etc.

Proviso.

How shares of dissenting stockholders shall be valued, etc.

other civil cases are tried by said court. The said commissioners' report, or such verdict when accepted by the court, shall be final and conclusive as to the value of such dissenting stockholder's shares, and the amount so ascertained as such value shall be at once paid or tendered to such stockholder; or, if such payment or tender be impracticable for any cause, shall be paid into court. Upon such payment or tender or deposit, the shares of such dissenting stockholder and the certificate or certificates thereof shall become the property of the lessee, whose right and title thereto may be enforced by the court by any appropriate order or process. Exceptions may be taken to any ruling or order of said court, to be heard and determined by the full court as in other civil cases. Said court may make all such orders for the enforcement of the rights of any party to the proceeding, — for the consolidation of two or more petitions and their reference to the same commissioners; or for the consolidation of claims for a jury and the trial of two or more cases by the same jury; and for the payment of interest upon the value of the stockholder's shares, as determined, and the payment of costs by one party to the other, — as justice and equity and the speedy settlement of the matters in controversy may require.

Court may make orders for enforcement of rights of certain parties, etc.

Certain rights of the general court, etc., not impaired.

Not to authorize assignment of contract of lease, etc.

SECTION 4. The ratification and confirmation of said contract of lease by this act shall not be construed to impair in any way the right of the general court, or such officers or persons as it may appoint for the purpose, to revise and alter the fares, tolls and charges for or upon passengers and property transported on any of the lines of railroad owned, leased or operated by parties to said contract of lease, their successors and assigns.

SECTION 5. Nothing in this act shall be construed as authorizing the assignment of said contract of lease or the sub-letting of the whole or any part of the demised premises, except such parts thereof as from time to time may cease to be required for railroad purposes.

SECTION 6. This act shall take effect upon its passage.

Approved June 30, 1900.

Chap. 427 AN ACT TO REVISE THE CHARTER OF THE CITY OF NORTHAMPTON.
Be it enacted, etc., as follows:

City of Northampton.

SECTION 1. The inhabitants of the city of Northampton shall continue to be a body politic and corporate, under the

name of the City of Northampton, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon and pertaining to said city as a municipal corporation.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, excepting the affairs of the public schools, shall be vested in an officer to be called the mayor, and in a council of twenty-one to be called the board of aldermen.

Administration of municipal affairs, etc.

SECTION 3. The territory of said city shall continue to be divided into seven wards, which shall retain their present boundaries until the same shall be changed under the general law relating thereto.

Seven wards.

SECTION 4. All meetings of the qualified voters of said city for the purpose of voting at elections of national, state, county, district and municipal officers, and for other municipal or legal purposes, shall be called by order of the board of aldermen, and, so far as applicable, in the manner provided by law for calling elections in cities.

Meetings of qualified voters.

SECTION 5. The municipal election shall take place annually on the first Tuesday of December, and the municipal year shall begin at ten o'clock in the forenoon on the first Monday of January next following.

Municipal election and municipal year.

SECTION 6. At such annual municipal election the qualified voters, voting in their respective wards, shall give in their votes by ballot for mayor, city clerk, city treasurer, members of the board of aldermen and of the school committee, an elector under the Oliver Smith will, a trustee under the will of Charles E. Forbes, and a secretary and treasurer of the trustees of the Forbes Library, or such of the above officials as are to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office, and whenever two or more persons are to be elected to the same office the several persons up to the number required to be chosen receiving the highest number of votes shall be deemed and declared to be elected.

Election of mayor, aldermen, etc.

SECTION 7. If it shall appear that there is no choice of a mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if a vacancy in said office shall occur more than three months before the expiration of the municipal year, the board of aldermen shall forthwith call meetings for a new election, and the

Vacancy in office of mayor.

Vacancy in
board of alder-
men.

Vacancy in
office of city
clerk or treas-
urer.

General meet-
ings of inhabi-
tants.

Ward meetings
may be held in
adjacent ward.

Board of alder-
men, election,
terms, etc.

same proceedings shall be had in all respects as are here-
inbefore provided for the election of mayor, and shall be
repeated until the election of a mayor is completed. In
case a vacancy in the office of mayor shall occur within
three months before the expiration of the municipal year
the board of aldermen may, in its discretion, call meetings
for the holding of a new election as aforesaid to fill the
vacancy. If the full number of members of the board of
aldermen has not been elected, or if a vacancy in the office
of alderman shall occur more than six months before the
expiration of the municipal year, the board of aldermen
may forthwith elect some person or persons to fill the
vacancy or vacancies until the next municipal election.
In case of a vacancy in the office of city clerk or city treas-
urer the board of aldermen shall elect a city clerk or city
treasurer to fill such vacancy until the next municipal
year; and in case of the temporary absence or disability
of the city clerk or the city treasurer the board of alder-
men shall elect a city clerk or city treasurer pro tempore.
In each of such cases the city clerk or city treasurer shall
be sworn and shall perform the duties of the office to
which he is elected.

SECTION 8. General meetings of the inhabitants may
from time to time be held, according to the right secured
by the constitution of the Commonwealth, and all such
meetings may, and, upon the request in writing of fifty
qualified voters setting forth the purposes thereof, shall
be duly called by the board of aldermen.

SECTION 9. The board of aldermen may when no con-
venient ward room for holding the meeting of the citizens
of any ward can be had within the territorial limits of
such ward appoint and direct in the warrant for calling
the meeting of such ward that the meeting be held in some
convenient place within the limits of an adjacent ward of
the city; and for such purpose the place so assigned shall
be deemed and taken to be a part of the ward for which
the election is held.

SECTION 10. The board of aldermen shall be composed
of twenty-one members, who shall be elected as follows: —
At the first municipal election held under this act there
shall be elected in each ward by and from the qualified
voters thereof one member of the board of aldermen to
serve for the term of one year, one member of the board
of aldermen to serve for the term of two years and one

member of the board of aldermen to serve for the term of three years, said terms beginning with the first Monday of January next ensuing; and thereafter one member of the board of aldermen from each ward shall be elected by and from the qualified voters thereof at each annual municipal election, to serve for the term of three years beginning with the first Monday of January then next ensuing. An alderman at the time of his election as such shall be a resident of the ward for which he is elected, but if he shall remove to another ward of said city subsequent to his election he shall continue to be such alderman until the beginning of the municipal year which immediately follows the annual election next after the time of such removal. At such annual election his successor shall be elected for the remainder of said term. The election of a member of the board of aldermen to the office of mayor shall vacate his membership of said board.

SECTION 11. The mayor elect and the aldermen elect shall on the first Monday of January, at ten o'clock in the forenoon, meet and be sworn to the faithful discharge of their duties. The oath shall be administered by the city clerk, or by any justice of the peace, and a certificate that such oath has been taken shall be entered in the journal of the board of aldermen. In case of the absence of the mayor elect on the first Monday of January, or if a mayor shall not then have been elected, the oath of office may at any time thereafter be administered to him in the presence of the board of aldermen; and at any time thereafter in like manner the oath of office may be administered in the presence of the board of aldermen to any member of the board of aldermen who has been previously absent or who has been subsequently elected, and a certificate of every such oath shall be entered in the journal aforesaid.

Oath of office of
mayor and
aldermen.

SECTION 12. After the oath has been administered to the aldermen present they shall be called to order by the mayor, or, in case of his absence or of his non-election, by the city clerk, or, in case of the absence of the city clerk, by the oldest senior member present. The mayor shall be president of the board of aldermen. The board of aldermen after being called to order shall proceed at once to elect one of their number vice president of the board, who shall be sworn by the city clerk, or, in the absence of such clerk, by any justice of the peace. The vice president shall preside at the meetings of the board

Board of aldermen,
organization, etc.

of aldermen when the mayor is absent or when the mayor is present and requests him to do so. The vice president shall have the same right to vote as any other member of said board. In the absence of the mayor and of the vice president the board of aldermen may choose one of their members chairman, who shall act as presiding officer pro tempore of said board.

Meetings of
board of alder-
men.

SECTION 13. The board of aldermen shall hold regular meetings at such times as may be designated by the board by general rule. The mayor may at any time call a special meeting of the board, and shall call a special meeting upon the request in writing of one third of the members. Such request shall state the subjects to be considered at the meeting. The mayor shall cause a written notice of such special meeting, stating the subjects to be considered thereat, to be given in hand to each member or to be left at his usual place of residence, or at any address designated by him in a writing filed with the city clerk, at least twenty-four hours previous to the time appointed for the meeting, and no final action shall be taken at such meeting on any business not stated in such notice, except with the unanimous consent of all the members of the board. For the purpose of drawing jurors it shall not be necessary to formally call a meeting of the board, but a majority of the members of the board, meeting with the mayor and the city clerk in the aldermanic chamber, may draw jurors whenever required, in the manner provided by law, and a record thereof containing the names of the aldermen present shall be entered by the city clerk in the records of the board.

Drawing of
jurors.

Board of alder-
men to deter-
mine rules of its
proceedings, be
judge of elec-
tion of its mem-
bers, etc.

SECTION 14. The board of aldermen shall determine the rules of its own proceedings and shall be the judge of the election and qualifications of its own members. All meetings of the board shall be public and a journal of its proceedings shall be kept, which journal shall be open to public inspection at all reasonable times. The vote of the board upon any question shall be taken by roll call when required by law or by the provisions of this act, or when the same is requested by three or more members. A majority of the members of the board shall constitute a quorum, but a smaller number may adjourn from day to day. No member of said board shall receive any compensation for his services either as an alderman or as a member of any board or committee in the administration of the municipal affairs of said city, and no member of the

Quorum, etc.

board of aldermen shall be eligible, by appointment or election, to any office, except that of mayor, the salary of or compensation for which is payable out of the city's funds or the city treasury.

SECTION 15. The mayor and aldermen so far as is not inconsistent with or otherwise specially provided in this act, shall have and exercise all the executive power and all the powers vested by the laws of the Commonwealth in the selectmen of towns and in city councils, and all the powers heretofore vested by law in the city of Northampton and in the inhabitants thereof as a municipal corporation, and shall be subject to all the duties and liabilities of city councils and of either branch thereof under the laws of the Commonwealth. The mayor and aldermen may by ordinance prescribe the manner in which such powers shall be exercised.

Mayor and aldermen, powers and duties.

SECTION 16. The mayor and aldermen shall have the power to make all such salutary and needful by-laws and ordinances not inconsistent with the provisions of this act as towns by the laws of the Commonwealth have power to make and establish, and to annex penalties not exceeding fifty dollars for the breach thereof, which by-laws and ordinances shall take effect and be in force from and after the time therein respectively limited, without the sanction or confirmation of any court or other authority whatsoever. Until ordinances are made as above provided the ordinances last in force before the passage of this act shall be and remain in force so far as lawful, applicable, and consistent with this act.

May make by-laws and ordinances, annex penalties, etc.

SECTION 17. Any ordinance, order, resolution or vote involving the appropriation or expenditure of money to an amount which shall exceed two hundred dollars, except the annual appropriations, and the laying of an assessment or the granting of a franchise to any person or corporation, shall require for its passage the affirmative votes of a majority of all the members of the board of aldermen, and every such ordinance, order, resolution or vote shall be read twice, with an interval of at least two days between the two readings, before being finally passed, and the vote on its final passage shall be taken by roll call: *provided, however,* that upon the written recommendation of the mayor the board of aldermen may pass such ordinance, order, resolution or vote at the same meeting or on the same day, by an affirmative vote of at least seventeen members taken by roll call.

Certain ordinances, etc., to require affirmative votes of a majority of board of aldermen, for passage, etc.

Provided.

Certain ordinances, etc., to be presented to mayor for approval, etc.

SECTION 18. Every ordinance, order, resolution or vote of the board of aldermen, except such as relates to its own internal affairs or to its own officers or employees, shall be presented to the mayor. If he approves thereof he shall signify his approval by signing the same, but if not he shall return the same with his objections to the board of aldermen, who shall enter at length upon the records the objections of the mayor, and proceed to reconsider said ordinance, order, resolution or vote, and if after such reconsideration two thirds of the board of aldermen, notwithstanding such objections, vote to pass the same, it shall be in force. In all cases the vote shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned within ten days after it has been presented to the mayor it shall be in force. He may except from his approval of any ordinance, order, resolution or vote which he has the power to veto any part involving a distinct item of expenditure, and in such case instead of returning the original he shall transmit a copy of such part not approved, which part shall be reconsidered in the manner and with the effect above provided. The veto power of the mayor shall not extend to elections.

Mayor, powers and duties.

SECTION 19. The mayor shall be the chief executive officer of the city, and he shall hold office for the municipal year next following his election and until his successor is elected and qualified. He shall cause the laws and regulations of the city to be enforced, and shall keep a general supervision over the conduct of all subordinate officers. He shall have the sole power of appointment to all the municipal offices established by or under this act, unless otherwise provided herein, and he may, except as otherwise provided herein, remove from office, for cause deemed by him sufficient, any officers so appointed hereunder: *provided*, that no alderman who is a member of a subordinate board or committee by a mayor's appointment, as hereinafter set forth, shall be removed from such membership except by vote of a majority of said board or committee, for cause alleged by the mayor in writing. The salary of the mayor shall be fixed by the board of aldermen by ordinance.

Proviso.

Salary.

City clerk and treasurer, term of office, etc.

SECTION 20. The city clerk and the city treasurer shall hold office for the municipal year next following their election and until their respective successors are elected and

qualified. They shall receive such compensation as the board of aldermen shall determine by ordinance.

SECTION 21. The city clerk shall also be clerk of the board of aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen, and he shall perform all the duties and exercise all the powers imposed or conferred by law upon him. He shall have charge and custody of all journals, records, papers and documents of the city pertaining to his department, and of all such as he is required to keep by the laws of the Commonwealth or by order of the board of aldermen. He shall engross all ordinances passed by the board of aldermen in a book provided for that purpose, and shall add proper indexes, which book shall be deemed a public record of such ordinances. He shall have power to employ clerical assistance in the work of his department, whenever needed, at a reasonable compensation to be fixed by the board of aldermen. He shall deliver to his successor in office, as soon as such successor is chosen and qualified, all the records, journals, documents and property held by him in his said capacity.

City clerk,
powers and
duties.

SECTION 22. The city treasurer shall receive and have the custody of all moneys belonging to the city, and shall pay out money only on the warrant or written order of the mayor. He shall cause an accurate account of all receipts and disbursements and of the city finances to be kept in proper form. He shall once in six months, or oftener if required, lay before the board of aldermen a detailed statement of all moneys received and paid by him on city account during the preceding six months, and of the condition of the treasury, and in every such statement the different sources of the city revenues and the amounts received from each, the several appropriations made, the object for which they were made and the amount of money expended under each, the money borrowed on the credit of the city, the authority under which each loan was made and the terms on which the same was obtained, shall be clearly and particularly specified. He shall perform such other duties as are incumbent upon him by law and as the board of aldermen may by ordinance or otherwise determine.

City treasurer,
powers and
duties.

SECTION 23. The board of aldermen shall annually in the month of January elect a collector of taxes, a city engineer, and a city physician, and the mayor and alder-

Collector of
taxes, city engi-
neer, etc., elec-
tion, term, etc.

Board of water commissioners, election, term, etc.

SECTION 29. The board of water commissioners shall consist of six persons, legal voters of said city, and shall be elected as follows:—The board of aldermen shall annually in the month of February elect two persons to serve as water commissioners for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors are elected and qualified. The present members of said board of water commissioners shall continue to hold office, unless sooner removed, for the terms for which they were respectively elected. Said board shall annually appoint a clerk, to be under the direction and control of said board, and may appoint, but not from their own number, a superintendent of the water works of the city. Said board may at any time remove such clerk or superintendent for cause which it deems sufficient, and may fill any vacancy caused by such removal. The board shall fix the compensation of the clerk and superintendent. Said board of water commissioners shall have the control, management and direction of the construction, extension, alteration and repair of the public waterworks and water supply in said city, and of the funds and property thereto belonging and pertaining. Said board may make and promulgate such rules and regulations as to the use of water in said city, and the rates and times of payment therefor, as it shall deem expedient. The rules, regulations and rates now existing shall be in force until changed, amended or repealed by said board. Any vacancy occurring in said board may be filled by the board of aldermen. The board of aldermen may at any time remove any member of said board of water commissioners for cause. The members of said board of water commissioners shall serve without compensation.

To serve without compensation.

Board of almoners, election, term, etc.

SECTION 30. The board of almoners of said city, under the provisions of the Whiting Street will, shall consist of six persons, residents of said city, and shall be elected as follows:—The board of aldermen shall annually in the month of February elect two persons to serve as members of said board for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors shall be elected and qualified. The mayor shall be ex officio chairman of said board and shall have a casting vote. Any vacancies occurring in said board

may be filled by the board of aldermen at any time. The members of said board shall serve without compensation. The present members of said board of almoners shall continue to hold office, unless sooner removed, for the terms for which they were respectively elected.

To serve without compensation, etc.

SECTION 31. The board of health of said city shall consist of three persons, legal voters of said city, and shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect one person to serve as a member of the board of health for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until his successor is elected and qualified. Elections shall be made so that one member at least of the board shall be a physician. The board of aldermen may at any time, for cause deemed by it sufficient, remove any member of the board of health, and any vacancy occurring in the board of health may be filled by the board of aldermen at any time. The board of health shall organize annually as required by law, and the clerk of the board shall receive reasonable compensation for his services, to be fixed by the board of aldermen by ordinance. The board of health shall serve without compensation. The present members of the board of health shall continue to hold office, unless sooner removed, for the terms for which they were respectively elected.

Board of health, election, term, etc.

To serve without compensation, etc.

SECTION 32. The library committee shall consist of nine persons, residents of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect three persons to serve as members of said committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors are elected and qualified. Said committee shall annually appoint, but not from their own number, one or more librarians and other necessary employees, to be under the direction and control of the committee, and shall fix the compensation of each; and may remove any of the librarians and employees for cause which the committee shall deem sufficient. Any vacancy occurring in the library committee may be filled by the board of aldermen at any time, and the board of aldermen may remove any member of the committee at any time, for cause the board deems sufficient. The three trustees

Library committee, election, term, etc.

To serve without compensation, etc. under the will of Charles E. Forbes shall be members ex officiis of the library committee. The library committee shall serve without compensation. The present members of the library committee shall continue to be members thereof, unless sooner removed, during the terms for which they were respectively elected.

Trustee under will of Charles E. Forbes, election, etc.

Secretary and treasurer of trustees of Forbes Library, election, etc.

Compensation.

Trust fund committee, election, term, etc.

SECTION 33. The legal voters of the city shall elect at each annual city election, in the same manner in which the mayor is elected, one trustee under the will of Charles E. Forbes, and such trustee shall serve for the term of three years from the first Wednesday of May following his election; and said voters shall in the year nineteen hundred and one, and every third year thereafter, elect in the same manner a secretary and a treasurer of the trustees of the Forbes Library, to serve for the term of three years from the first Wednesday of May following said election. A vacancy occurring in any of said offices may be filled for the residue of the unexpired term at the next annual city election. The present trustees and their secretary and treasurer shall continue to hold their respective offices for the terms for which they were elected. The trustees shall exercise all the general and special powers vested in them by the provisions of said will. The compensation of the secretary and of the treasurer shall be fixed by the board of aldermen by ordinance.

SECTION 34. The trust fund committee shall consist of three persons, legal voters of said city, who shall be elected as follows: — The board of aldermen shall annually in the month of January or February elect one person to serve as a member of said committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until his successor is elected and qualified. Any member of said committee may be removed from office at any time by the board of aldermen, and said board may fill any vacancy in the committee at any time. The present members of the committee shall continue in office for the respective terms for which they were elected, unless sooner removed, and until their successors are elected and qualified. Said committee shall have charge of the investment and management of the trust funds of the city not otherwise provided for in this act, but the custody of said funds shall be and remain with the city treasurer. Said com-

mittee shall serve without compensation, but may choose a clerk, who shall receive a reasonable compensation, to be fixed by the board of aldermen by ordinance, and the committee may remove him at any time they shall deem expedient.

To serve without compensation, etc.

SECTION 35. The commissioners of the sinking funds shall consist of three persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect one person to serve as a commissioner of the sinking fund for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until his successor is elected and qualified. The board of aldermen may remove any of said commissioners at any time for cause it deems sufficient, and may fill any vacancy occurring in said board of commissioners at any time. The present commissioners of the sinking fund shall continue in office for the respective terms for which they were elected, unless sooner removed, and until their successors are elected and qualified. The commissioners of the sinking fund shall serve without compensation.

Commissioners of sinking funds, election, term, etc.

SECTION 36. The cemetery committee shall consist of six persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect two persons to serve as members of the cemetery committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors are elected and qualified. Any member of said committee may be removed at any time by the board of aldermen for cause it deems sufficient, and any vacancy in the committee may be filled at any time by the board of aldermen. The present members of the cemetery committee shall continue in office for the terms for which they were respectively elected, unless sooner removed, and until their respective successors are elected and qualified. Said committee shall have charge and control of the cemeteries and burial places of the city, and shall serve without compensation.

To serve without compensation.

Cemetery committee, election, term, etc.

SECTION 37. The city improvement committee shall consist of six persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect two persons to serve as members of the city improvement

To serve without compensation.

City improvement committee, election, term, etc.

To serve without compensation, etc.

Trustee under will of Charles E. Forbes, election, etc.

Secretary and treasurer of trustees of Forbes Library, election, etc.

Compensation.

Trust fund committee, election, term, etc.

under the will of Charles E. Forbes shall be members ex officio of the library committee. The library committee shall serve without compensation. The present members of the library committee shall continue to be members thereof, unless sooner removed, during the terms for which they were respectively elected.

SECTION 33. The legal voters of the city shall elect at each annual city election, in the same manner in which the mayor is elected, one trustee under the will of Charles E. Forbes, and such trustee shall serve for the term of three years from the first Wednesday of May following his election; and said voters shall in the year nineteen hundred and one, and every third year thereafter, elect in the same manner a secretary and a treasurer of the trustees of the Forbes Library, to serve for the term of three years from the first Wednesday of May following said election. A vacancy occurring in any of said offices may be filled for the residue of the unexpired term at the next annual city election. The present trustees and their secretary and treasurer shall continue to hold their respective offices for the terms for which they were elected. The trustees shall exercise all the general and special powers vested in them by the provisions of said will. The compensation of the secretary and of the treasurer shall be fixed by the board of aldermen by ordinance.

SECTION 34. The trust fund committee shall consist of three persons, legal voters of said city, who shall be elected as follows: — The board of aldermen shall annually in the month of January or February elect one person to serve as a member of said committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until his successor is elected and qualified. Any member of said committee may be removed from office at any time by the board of aldermen, and said board may fill any vacancy in the committee at any time. The present members of the committee shall continue in office for the respective terms for which they were elected, unless sooner removed, and until their successors are elected and qualified. Said committee shall have charge of the investment and management of the trust funds of the city not otherwise provided for in this act, but the custody of said funds shall be and remain with the city treasurer. Said com-

mittee shall serve without compensation, but may choose a clerk, who shall receive a reasonable compensation, to be fixed by the board of aldermen by ordinance, and the committee may remove him at any time they shall deem expedient.

To serve without compensation, etc.

SECTION 35. The commissioners of the sinking funds shall consist of three persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect one person to serve as a commissioner of the sinking fund for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until his successor is elected and qualified. The board of aldermen may remove any of said commissioners at any time for cause it deems sufficient, and may fill any vacancy occurring in said board of commissioners at any time. The present commissioners of the sinking fund shall continue in office for the respective terms for which they were elected, unless sooner removed, and until their successors are elected and qualified. The commissioners of the sinking fund shall serve without compensation.

Commissioners of sinking funds, election, term, etc.

SECTION 36. The cemetery committee shall consist of six persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect two persons to serve as members of the cemetery committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors are elected and qualified. Any member of said committee may be removed at any time by the board of aldermen for cause it deems sufficient, and any vacancy in the committee may be filled at any time by the board of aldermen. The present members of the cemetery committee shall continue in office for the terms for which they were respectively elected, unless sooner removed, and until their respective successors are elected and qualified. Said committee shall have charge and control of the cemeteries and burial places of the city, and shall serve without compensation.

To serve without compensation.

Cemetery committee, election, term, etc.

SECTION 37. The city improvement committee shall consist of six persons, legal voters of said city, who shall be elected as follows:—The board of aldermen shall annually in the month of January or February elect two persons to serve as members of the city improvement

To serve without compensation.

City improvement committee, election, term, etc.

committee for the term of three years from the first Monday of March then next ensuing, unless sooner removed, and until their respective successors are elected and qualified. The board of aldermen may remove any member of said committee at any time for cause which the board may deem sufficient, and any vacancy in the committee may be filled by the board of aldermen at any time. The present members of said committee shall continue in office for the respective terms for which they were elected, unless sooner removed, and until their successors are elected and qualified. The committee shall have the care, superintendence and management of the public grounds belonging to the city, and also of all the shade and ornamental trees standing and growing in or upon any of the public streets and highways of the city, subject however at all times to the control of the board of aldermen by ordinance or otherwise. The members of said committee shall serve without compensation.

To serve without compensation.

School committee, election, terms, etc.

SECTION 38. The school committee shall consist of the mayor of said city, ex officio, and of nine other persons, inhabitants thereof, who shall be elected by the qualified voters of the city at large, voting in their respective wards, as follows:—At the first municipal election held under this act there shall be elected three members of said committee, one each from the inhabitants of wards two, four and six, to serve for the term of three years beginning with the first Monday of January next ensuing. At the municipal election held under this act in the year nineteen hundred and one there shall be elected three members of said committee, one each from the inhabitants of wards one and three, and one from the inhabitants of the city at large, to serve for the term of three years beginning on the first Monday of January then next ensuing. At the municipal election held under this act in the year nineteen hundred and two there shall be elected three members of said committee, one each from the inhabitants of wards five and seven, and one from the inhabitants of the city at large, to serve for the term of three years beginning on the first Monday of January then next ensuing; and at each subsequent municipal election there shall be elected in the same manner as their predecessors, three members of the school committee, to hold office for the term of three years, as successors of those whose terms of office expire at the expiration of the

then current municipal year. The present members of the school committee shall hold office for the terms for which they were respectively elected and until their successors are elected and qualified.

SECTION 39. The members of the school committee shall serve without compensation. The mayor shall be ex officio chairman of the board, and shall have a casting vote, but the committee may elect from their own number a chairman, who shall preside in the absence of the mayor. The school committee shall annually appoint, but not from their own number, a superintendent of schools, who shall act as secretary of the board. The committee shall fix the salary of the superintendent and may remove him for cause which it deems sufficient. Any vacancy occurring in the board may be filled by the board of aldermen and school committee in joint convention at any time, and the member so elected shall hold office for the unexpired term of the member who has ceased to hold office.

Members of school committee to serve without compensation, etc.

Vacancy.

SECTION 40. The management and control of the public schools of the city shall be vested in said school committee, who shall, except as hereinafter limited, exercise the powers and discharge the duties imposed by law upon school committees, and shall have the care of all school buildings and property and of making ordinary repairs on the same and on school property, and shall have charge of the purchase of text books and ordinary school supplies, except the purchase of fuel, and the charge of incidental and other ordinary expenses pertaining to schoolhouses and school property. In the exercise of said powers and duties and in the management of the public schools of the city the school committee is hereby limited to the amount appropriated by the board of aldermen for expenditures for the purposes aforesaid. The school committee shall fix the salaries or compensation of the teachers in the public schools. The aggregate amount fixed by the committee and paid by the city for the salaries or compensation of all the teachers in the public schools and of the superintendent of schools for said city shall not exceed for any financial year four dollars on every one thousand dollars of the average of the assessors' valuations of the taxable property in said city for the preceding three years, the valuation for each year being first reduced by the amount of all abatements

Powers and duties of school committee.

Powers and
duties of school
committee.

allowed thereon previous to the thirty-first day of December in the year preceding the appropriations therefor, and any order, vote or decision of the school committee fixing a larger sum than is herein limited shall be valid only up to said limit, but void to the extent of the excess of the amount fixed above the sum herein limited. The school committee shall in the month of January in each year submit to the mayor an estimate in detail of the amount deemed by it necessary to expend for its purposes during the current financial year. The mayor in his recommendations to the board of aldermen for appropriations shall make such changes, additions or reductions in the school committee's estimate as he shall determine, but he shall not have the power to reduce the amount submitted by the school committee for the salaries or compensation of the teachers in the public schools and of the superintendent, unless the aggregate amount submitted is in excess of the limit therefor fixed in this act. So far as is consistent with the restrictions and limitations of this act the school committee may maintain and keep the public schools in said city the number of weeks established by law, but nothing in this act shall be construed as authorizing said committee to make any expenditure or incur any liability in maintaining and keeping said schools, over and above the amount appropriated therefor, any law or statute to the contrary notwithstanding.

School committee to be judge of necessity of additional school accommodations, etc.

SECTION 41. The school committee shall be the original judge of the expediency and necessity of having additional or improved accommodations for any public school within the limits of the city; and whenever in its opinion a schoolhouse is required, or material alterations are needed, it shall send a communication to the board of aldermen, stating the locality and the nature of the further provisions for schools which are needed. The board of aldermen shall not authorize the erection of a school house or any addition thereto, nor make any appropriation for such purpose, until plans for the same have been approved by vote of the school committee, and such approval has been certified in writing to the board of aldermen by the chairman of said committee. Whenever the board of aldermen shall authorize the erection of a school building or any addition thereto one member of the school committee, to be designated by the mayor, shall be a member of any commission or committee

which may be appointed to have the supervision of the erection of such building or addition.

SECTION 42. The mayor shall annually prepare a written statement containing his recommendations of appropriations for the current financial year. Such statement shall contain a brief summary of the items of expenditure estimated by him to be required by each department of the city, including that of the public schools, during said year. In the estimate for the public schools, the amount submitted by the school committee for the salaries or compensation of the teachers and the superintendent of schools, if within the limit fixed by this act, shall be recommended without change; otherwise said amount shall be reduced to said limit and recommended for that sum. The mayor shall not be bound by the amounts submitted by the school committee for expenditures other than as above, and may add to or reduce the same in his recommendations; but he shall state in his recommendations the items of expenditure submitted by the school committee, and shall be responsible for any changes therein which he shall make in his recommendations. The recommendations of the mayor shall be filed with the city clerk not later than the first week of February, and the city clerk shall record the same and shall at once cause a correct copy of the same to be mailed to the address of each member of the board of aldermen at least three days before the same shall be brought before said board for action.

Mayor to annually prepare a written statement containing recommendations of appropriations, etc.

To be filed with city clerk, etc.

SECTION 43. The board of aldermen shall in the month of February act upon the recommendations of the mayor in the order in which they are made, item by item, and shall have power in making appropriations to reduce the amount of any item in said recommendations, except the amount fixed for the salaries or compensation of teachers and superintendent of schools, but they shall not have the power to add to or increase the amount of any item aforesaid, nor to add to or increase the entire sum recommended by the mayor for appropriations, nor to add to or increase the sum recommended for expenditures in any department of the city. The provisions of section seventeen of this act shall not apply to any proceedings of the board of aldermen under this or the following section, and said board shall have power to act upon all the items included in the recommendations

Board of aldermen to act upon recommendations of mayor, etc.

at one meeting and on the same day, but to reduce the amount of any of said items an affirmative vote of a majority of all the members of said board shall be required. All votes of the members of the board of aldermen on the several items and matters recommended shall be taken by yeas and nays, and the city clerk shall keep a record of all votes of each member thereon. The sums so voted shall constitute the appropriations for the expenses of the city for the current financial year. If the board of aldermen shall fail to make appropriations in the month of February the recommendations of the mayor so far as they have not been acted upon or changed by the board of aldermen shall stand as the appropriations for the then current financial year.

Moneys appropriated for a specific purpose not to be expended for any other purpose, etc.

SECTION 44. No moneys appropriated for a specific purpose or for expenditure in a particular department shall be expended for any other purpose or in any other department, and no part of the amount appropriated for any department, fund or account, shall be transferred to another department, fund or account, or to or from the contingent fund, except by the affirmative vote of fifteen members of the board of aldermen, taken by yeas and nays. Said vote shall be void and of no effect unless within two days thereafter the mayor shall deliver to the city clerk his written approval of such vote or transfer. The city clerk shall record said vote and approval. The appropriation for the salaries or compensation of teachers and of the superintendent of schools shall be used for no other purpose, and no transfer of any other fund shall be made thereto. The school committee shall not make any contracts involving an expenditure of money or incur any liability beyond the amount of the appropriation for said department. All funds received by said committee or by the superintendent of schools other than from the appropriations shall belong to the city, and shall be forthwith turned into the city treasury. After the expiration of the financial year and until the passage of the regular annual appropriations, liabilities payable out of a regular appropriation to be contained therein may be incurred to an amount not exceeding one fourth of the total of such appropriation for the preceding year. The financial year shall begin with the first day of December in each year, and all provisions of law relating to the assessment of taxes and temporary loans in anticipation

Financial year to begin with December 1, etc.

of taxes shall be construed to apply to said financial year. No money shall be paid from the city treasury unless granted or appropriated by the board of aldermen, and the said board of aldermen shall require all officers intrusted with the receipt, custody or disbursement of money to give bonds with sufficient sureties for the faithful performance of their duties. No money appropriated by the aldermen shall be paid from the city treasury unless a warrant for such payment is issued by the mayor under his signature.

SECTION 45. In defraying the current expenses of the city no department, board, committee or official of the city shall have power to make any expenditure, incur any liability, or make any contract involving an expenditure of money, unless at the time of making such expenditure or contract, or incurring such liability, there shall be a balance of the appropriation therefor unexpended sufficient to meet such expenditure, contract or liability. Moneys or funds transferred as provided in section forty-four of this act shall for the purposes mentioned in this section be deemed a part of the particular fund or account to which they have been transferred. All moneys received by any department, board, committee or official of said city from any source other than the annual appropriation, or the amount transferred thereto under section forty-four of this act, shall be paid at once to the city treasurer, and no department, board, committee or officer shall have authority to use or dispose of the same in any other manner.

Departments,
boards, etc.,
not to incur
certain liabilities, etc.

SECTION 46. The mayor shall not sign a warrant for the payment of any debt or liability for current expenses of the city which has been incurred or sanctioned by any other department, board, committee or official in violation of the two preceding sections. A failure on the part of the mayor to comply herewith shall be deemed a violation of his duty. Nothing in this act shall be construed as requiring the management of any trust fund, or the use, disposition or payment of the income thereof, in a manner contrary to the provisions or conditions contained in the instrument by which such trust fund is created; and nothing in this section and the three preceding sections shall be deemed to apply to the receipt and expenditure of the income accruing from the use of water in said city.

Mayor not to
sign warrants
for payment of
certain ex-
penses, etc.

Board of aldermen to have care, etc., of certain city buildings and property, etc.

SECTION 47. The board of aldermen shall have the general charge, care and control of city buildings and city property, except as otherwise provided by law or in this act, with power to sell, purchase or hire property, real or personal, in the name and for the use of the city, whenever the interest or convenience of the city may in their judgment require it. The board shall also keep all such buildings and property in repair, and shall purchase all supplies therefor, together with all fuel used in city buildings. The board of aldermen shall not have the care of school buildings or school property nor the charge of ordinary repairs thereon, and shall not have any care, control, custody or management whatsoever of any real or personal property or funds given or accepted by said city for special purposes or under special conditions which are in any degree inconsistent therewith.

Laying out, etc., of streets and highways.

SECTION 48. The board of aldermen shall, subject to the veto power of the mayor, have exclusive authority and power to order the laying out, locating anew, altering or discontinuing of all streets and ways and highways within the limits of the city, and to assess the damages sustained by any person thereby, and further, except as is otherwise provided herein, to act in all matters relating to such laying out, locating anew, altering or discontinuing. Any person aggrieved by the assessment of his damages or by other action of the board of aldermen under this section shall have all the rights and privileges now allowed by law in such cases in appeals from decisions of the selectmen of towns. But nothing in this act shall be construed as affecting or taking away the jurisdiction of the county commissioners under section one hundred and twenty-five of chapter one hundred and twelve of the Public Statutes.

Construction, etc., of sidewalks.

SECTION 49. The board of mayor and aldermen may grade and construct sidewalks and complete any partially constructed sidewalk in any street in said city as the public convenience may require, with or without edge-stones, as said board shall deem expedient, and may cover the same with brick, flat stones, concrete, gravel or other appropriate material, and may assess upon the abutters on such sidewalks in just proportions, not exceeding one half the expense of the same; but all assessments so made shall constitute a lien upon the abutting land and be collected in the same manner as taxes on

real estate; and such sidewalks, when constructed with edgestones and covered with brick, flat stones or concrete, shall afterwards be maintained at the expense of the city. When any such sidewalk shall be permanently constructed with edgestones and covered with brick, flat stones or concrete, as aforesaid, there shall be deducted from the assessment therefor any sum which shall have been previously assessed upon the abutting premises and paid to the city for the expense of the construction of the same in any other manner than with edgestones and with brick, flat stones or concrete, as aforesaid; and such deduction shall be made pro rata and in just proportions from the assessment upon different abutters, who at the time of such assessments are owners of the estate which at the time of such former assessment was the estate of the abutters who had previously paid such former assessments.

SECTION 50. In estimating the damage sustained by any party by the construction of sidewalks, as aforesaid, there shall be allowed by way of set-off the benefit, if any, to the property of the party by reason thereof. The board of aldermen may vote that all assessments on account of the construction of sidewalks, as aforesaid, shall bear interest at a specified rate, not exceeding seven per cent per annum, from the thirtieth day after the assessment, until paid; and the interest accruing under such vote or votes shall be added to and be a part of such assessments.

Damages.

Interest on assessments.

SECTION 51. If the owner of real estate, within sixty days after notice of a sidewalk assessment thereon under the provisions of this act, notifies said board of mayor and aldermen to apportion the same said board shall apportion it into three equal parts, and certify such apportionment to the assessors; and the assessors shall add one of said parts, with interest from the thirtieth day after assessment, to the annual tax of such real estate for each of the three years next ensuing. All liens for the collection of such assessments and interest shall continue until the expiration of two years from the time when the last instalment is committed to the collector.

Apportionment of assessments, etc.

SECTION 52. The board of overseers of the poor of said city shall consist of three persons, members of the board of aldermen, and shall be appointed as follows:—The mayor shall, in the month of January in the year nineteen

Overseers of the poor, appointment, terms, etc.

Overseers of
the poor, ap-
pointment,
terms, etc.

hundred and one, appoint from the members of the board of aldermen elected for the term of three years one person to serve as an overseer of the poor for the term of three years from the first Monday of February next ensuing; and shall appoint from the members of the board of aldermen elected for the term of two years one person to serve as an overseer of the poor for the term of two years from said first Monday of February; and shall appoint from the members of the board of aldermen elected for the term of one year one person to serve as an overseer of the poor for the term of one year from said first Monday of February; and thereafter the mayor shall annually in the month of January appoint from the members of the board of aldermen who shall have then been last elected one person to serve as a member of said board of overseers of the poor for the term of three years from the first Monday of February then next ensuing. All members of the board of overseers of the poor, unless sooner removed, shall serve for the term of their appointment and until their respective successors are appointed and qualified. The mayor may remove a member of said board at any time for cause deemed by him sufficient, and may appoint the successor of such member for the unexpired term, and may fill any vacancy occurring in said board for the remainder of the term. Only one alderman from a ward shall be eligible for membership in said board at the same time.

Board of pub-
lic works, ap-
pointment,
terms, etc.

SECTION 53. The board of public works of said city shall consist of the mayor, ex officio, and six persons, members of the board of aldermen, who shall be appointed as follows: — The mayor shall, in the month of January in the year nineteen hundred and one, appoint from the members of the board of aldermen elected for the term of three years two persons to serve as members of said board of public works for the term of three years from the first Monday of February next ensuing; and shall appoint from the members of the board of aldermen elected for the term of two years two persons to serve as members of said board of public works for the term of two years from the first Monday of said February; and shall appoint from the members of the board of aldermen elected for the term of one year two persons to serve as members of said board of public works for the term of one year from the first Monday of said February; and thereafter

the mayor shall annually in the month of January appoint from the members of the board of aldermen last elected two persons to serve as members of said board of public works for the term of three years from the first Monday of February then next ensuing. Not more than two aldermen from the same ward of said city shall be eligible to membership in said board of public works at the same time. The mayor shall be chairman of said board of public works and shall have a casting vote and a veto power over the actions of the board, and it shall require five affirmative votes of said board to take action over his veto.

Mayor to be chairman, etc.

SECTION 54. The committee on city property, fuel and lights of said city shall consist of three persons, members of the board of aldermen, who shall be appointed as follows :— The mayor shall, in the month of January in the year nineteen hundred and one, appoint from the members of the board of aldermen elected for the term of three years one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing ; and shall appoint from the members of the board of aldermen elected for the term of two years one person to serve as a member of said committee for the term of two years from the first Monday of February then next ensuing ; and shall appoint from the members of the board of aldermen elected for the term of one year one person to serve as a member of said committee for the term of one year from the first Monday of February then next ensuing ; and thereafter the mayor shall annually in the month of January appoint from the board of aldermen who shall have then been last elected one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing. The mayor may remove a member of said committee for cause deemed by him sufficient, and may appoint the successor of such member for the unexpired term, and may fill any vacancy occurring in said board for the remainder of the term.

Committee on city property, fuel and lights, appointment, terms, etc.

SECTION 55. The committee on fire and police departments and licenses of said city shall consist of three persons, members of the board of aldermen, who shall be appointed as follows :— The mayor shall, in the month of January in the year nineteen hundred and one, appoint from the members of the board of aldermen elected for the

Committee on fire and police departments and licenses, appointment, terms, etc.

term of three years one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing; and shall appoint from the members of the board of aldermen elected for the term of two years one person to serve as a member of said committee for the term of two years from said first Monday of February; and shall appoint from the members of the board of aldermen elected for the term of one year one person to serve as a member of said committee for the term of one year from said first Monday of February; and thereafter the mayor shall annually in the month of January appoint from the members of the board of aldermen who shall have then been last elected one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing.

Committee on
finance and
claims, appoint-
ment, terms,
etc.

SECTION 56. The committee on finance and claims shall consist of three persons, members of the board of aldermen, who shall be appointed as follows:—The mayor shall, in the month of January in the year nineteen hundred and one, appoint from the members of the board of aldermen elected for the term of three years one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing; and shall appoint from the members of the board of aldermen elected for the term of two years one person to serve as a member of said committee for the term of two years from said first Monday of February; and shall appoint from the members of the board of aldermen elected for the term of one year one person to serve as a member of said committee for the term of one year from said first Monday of February; and thereafter the mayor shall annually in the month of January appoint from the members of the board of aldermen who shall then have been last elected one person to serve as a member of said committee for the term of three years from the first Monday of February then next ensuing.

City solicitor
and city auditor,
appointment,
etc.

SECTION 57. The mayor shall annually in the month of January appoint a city solicitor and a city auditor, who shall hold their respective offices for the term of one year from the first Monday of February then next ensuing, unless sooner removed, and until their respective successors are appointed and qualified. They may be removed by the mayor at any time for cause he shall deem suffi-

cient. Neither the city solicitor nor the city auditor shall hold any other office under the city government, nor be a member of any department, board or committee thereof.

SECTION 58. The board of overseers of the poor shall annually in the month of February appoint a city almoner, who shall not be a member of the city government or of any department, board or committee thereof. The city almoner shall keep a record of the settlements of all paupers or persons who are or who may become a city charge, and shall, under the direction of and by authority of the overseers of the poor, relieve the wants of such paupers outside the almshouse as may be necessary and proper. He shall as aforesaid see that the paupers who are chargeable to other cities and towns are maintained by such cities and towns at their own expense, and that the city shall be reimbursed for outlays made for the paupers chargeable to the Commonwealth or other cities or towns. He shall under the direction of the overseers of the poor report all cases needing legal attention to the city solicitor, and shall furnish him with all the information possible in controversies arising over pauper settlements or otherwise. He shall perform such other duties as the overseers of the poor, or the board of aldermen by ordinance, may from time to time prescribe. His compensation shall be fixed by ordinance. He may be removed from office at any time by the overseers of the poor for any cause which they may deem sufficient, and they may fill the vacancy at any time. Said board of overseers of the poor shall be the directors of the almshouse in said city, with all the powers vested in directors of almshouses by laws of this Commonwealth.

City almoner,
appointment,
powers and
duties, etc.

Compensation,
etc.

Overseers of
poor to be
directors of
almshouse,
etc.

SECTION 59. The board of public works shall have the general supervision, direction and control in carrying into effect all orders, votes and decisions of the board of aldermen relating to:—

Board of public
works, duties,
etc.

(a) The laying out, alteration, relocation and discontinuance of highways and streets in said city.

(b) Grading, constructing and completing sidewalks in any street in said city.

(c) Locating, placing and removing poles, wires, pipes, fixtures and structures in, on or over any street in said city.

The board of public works shall have the exclusive determination, supervision and control of the repairs of high-

To have control
of repairs of
highways, etc.

ways, ways, streets, bridges and sidewalks in said city, and of the macadamizing and other road construction therein.

Superintendent
of streets, ap-
pointment,
powers and
duties, etc.

SECTION 60. The board of public works shall annually in the month of February choose a superintendent of streets, who shall hold office from the first Monday of March then next ensuing, and who shall be under the general direction of said board, have all the powers and be subject to all the duties, liabilities and penalties which are by law vested in or imposed upon surveyors of highways or road commissioners of towns, except as otherwise provided herein. The compensation of the superintendent of streets shall be fixed by the board of aldermen by ordinance. The board of public works shall have power to remove said superintendent at any time for cause it may deem sufficient, and upon a vote of removal his compensation shall cease and the vacancy caused by such removal may be filled at any time. The board of public works may also at such times as it may deem necessary hire one or more persons to assist the superintendent of streets as he may require in the oversight and management of the work pertaining to his department. Such assistants may be removed at any time, and upon such removal their compensation shall cease.

Compensation,
etc.

Assistants may
be employed,
etc.

Board of pub-
lic works to
constitute the
board of sewer
commissioners,
etc.

SECTION 61. The board of public works shall constitute the board of sewer commissioners of said city; and all the powers vested in said sewer commissioners by chapter three hundred and fifty-four of the acts of the year eighteen hundred and eighty-eight shall be hereafter vested in and exercised by said board of public works, and all powers vested by sections two to twelve, inclusive, of said chapter in the city council of the city of Northampton shall be hereafter vested in and exercised by the board of aldermen of said city. When this act takes full effect the present board of sewer commissioners shall cease to exist and shall no longer have and exercise any powers under or by virtue of said chapter three hundred and fifty-four. Said board of public works in its capacity as the board of sewer commissioners shall annually appoint a clerk, to be under its direction and control, and may appoint a superintendent. The records of the sewer commissioners shall be kept separate from the records of all other acts of the board of public works, but the clerk of the sewer commissioners may also be elected as the clerk of the board of public works in the adminis-

tration of its other duties under this act. Neither the clerk nor the superintendent of sewers shall be a member of said board of public works or of any other board, committee or department of the city government. The board of public works shall have power to remove said clerk or superintendent at any time for such cause as said board shall deem sufficient, and thereafter the compensation of such clerk or superintendent shall cease. All the provisions of chapter three hundred and fifty-four of the acts of the year eighteen hundred and eighty-eight not inconsistent with this act shall be and remain in force, and all rules and regulations heretofore made by the board of sewer commissioners of said city and in force at the time when this act takes effect, shall continue in force until changed, amended, repealed or abrogated by the board of public works.

SECTION 62. No person or corporation shall dig up any public street or sidewalk in said city without authority from the board of public works, except when specially authorized by the board of aldermen to do so, and on such terms and conditions as the board of public works may prescribe. When any person or corporation has occasion to dig up the soil or disturb the surface in any public street or sidewalk in said city, except when specially authorized by the board of aldermen, the same shall be restored, replaced and reconstructed under the direction and control of the superintendent of streets, and all costs and expenses incurred in restoring, replacing or reconstructing said street or sidewalk, including a reasonable charge for the time and services of said superintendent of streets and of the men employed by him, and a fair price for all materials furnished, shall be payable to said city upon completion of said work. Said city of Northampton shall have the right to recover for said time, services, costs, expenses and materials of such person or corporation, in an action of contract.

Public streets or sidewalks not to be dug up without authority from board of public works, except, etc.

SECTION 63. The committee on city property, fuel and lights, the committee on fire and police departments and licenses, and the committee on finance and claims, shall severally perform such duties, not inconsistent with the other provisions of this act, as the board of aldermen shall by ordinance or otherwise determine. The term licenses as used in this section and in section fifty-five shall mean licenses granted by the board of aldermen.

Certain committees to perform such duties as the board of aldermen shall determine.

Term licenses defined.

City solicitor,
powers and
duties.

SECTION 64. The city solicitor shall perform all legal services in which the city is interested, and attend to all proceedings at law or in equity to which the city is a party, and to all claims made to the board of aldermen. For these purposes he shall have sole charge of all such matters and proceedings. He shall give in writing his legal opinion upon any of the municipal affairs of the city, upon the request of the mayor or board of aldermen, and in addition shall give his opinion upon the law relating to municipal affairs in any department, upon request made by the head of such department.

City auditor,
duties.

SECTION 65. The city auditor shall audit the accounts of the different departments, boards and committees and of the city treasurer every month, and shall perform such other duties as the board of aldermen may by ordinance determine.

City engineer,
duties.

SECTION 66. The city engineer shall give his whole time to the city and shall have sole charge and control of and shall attend to all the engineering work of the city. He shall, at the request of the board of public works, prepare plans and estimates of any proposed alterations in or construction of main drains or common sewers, and conduits, streets, sidewalks and other public works, except the water works, and he shall, at the request of the board of water commissioners, perform all such services respecting the water works of the city as are proper for a civil engineer to perform. He shall assist the city solicitor as far as possible in defending the city against suits and claims brought against it for damages sustained by reason of any defect or want of repair in any public way, or for any cause whatever. He shall perform such other duties as the board of aldermen may prescribe, not inconsistent herewith.

Certain committees may be appointed by mayor, etc.

SECTION 67. All committees of the board of aldermen not specially provided for in this act, but deemed necessary or desirable in the management of the municipal affairs of the city, may be appointed by the mayor, and the duties of such committees shall be fixed by ordinance. Every committee having occasion to keep accounts or records may appoint a clerk and may remove him whenever it sees fit. His compensation shall be fixed by ordinance.

Books of account or record to remain the property of the city, etc.

SECTION 68. All books of account or record required by any department, board, committee or official shall be furnished by and shall remain the property of the city.

SECTION 69. When appointments are to be made by the mayor and aldermen of said city the mayor shall have the exclusive power of nomination, subject to confirmation or rejection by the board of aldermen; and if a person so nominated is rejected the mayor may once renew such nomination, and if again rejected he shall thereafter make another and different nomination.

Mayor to have exclusive power of nomination in certain cases.

SECTION 70. Every officer who is elected by the board of aldermen or appointed by the mayor shall be notified by the city clerk of his election or appointment, and if within seven days after said notice is sent he has not filed with the city clerk his written declination he shall be deemed to have accepted the office to which he was elected or appointed; but he shall qualify before entering upon the performance of the duties of said office.

Certain officers to be notified of election or appointment, etc.

SECTION 71. The city clerk upon receipt of any order of removal, or upon the passage of any vote of removal by the board of aldermen, shall cause a copy thereof to be served forthwith upon the officer so removed, either personally or by leaving the same at his last and usual place of residence, and the office shall be deemed to be vacant from the time of the service of such notice.

Copy of order of removal, etc., to be served upon officer removed.

SECTION 72. Any office established under and by virtue of this act shall become vacant if the incumbent ceases to be a resident of the city. The conviction of the incumbent of any such office of a crime punishable by imprisonment shall create a vacancy in the office held by him.

Offices to become vacant under certain conditions.

SECTION 73. Vacancies which may at any time occur in any office which is filled by election by the board of aldermen or by appointment by the mayor may be filled for the unexpired term by election or by appointment, in the same manner as the officer whose place is vacant was elected or appointed.

Filling of vacancies.

SECTION 74. Nothing herein contained shall affect the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, being "An Act to improve the civil service of the Commonwealth and the cities thereof", and acts in amendment thereof and in addition thereto, or of the rules made by the commissioners appointed thereunder; and the board of aldermen shall make sufficient appropriations for the carrying out and enforcement of said acts and such rules in said city.

Civil service.

Contracts.

SECTION 75. All contracts made by any department of the city except as otherwise provided for in this act shall, when the amount involved is five hundred dollars or more, be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor is affixed thereto. All contracts when the amount involved is one thousand dollars or more shall be accompanied by a bond, to an amount and with sureties satisfactory to the mayor, or by a deposit of money or other security for the faithful performance of such contracts; and such bonds or other security shall be deposited with the city treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by written agreement of the contractor, the sureties on his bond, and the officer or board making the contract, with the approval of the mayor affixed thereto.

Contracts not to be made with certain persons, etc.

SECTION 76. Neither the mayor nor any officer of the city, nor any member of a board, committee or commission having authority to expend money or to incur indebtedness on account of the city shall directly or indirectly contract with himself or with any other member of the same board, committee or commission, for the rendering of services to the city or the furnishing of materials or supplies to the city, or to any person for or on account of the city; and any contract made in violation of this section shall be void: *provided*, that this section shall not apply to the payment of the incidental and necessary expenses of such officer or board.

Proviso.

Salaries, etc.

SECTION 77. All salaries and compensation of city officers and clerks of departments, boards or committees shall, except as is otherwise provided herein, be established by ordinance by the board of aldermen, but no ordinance changing any such salary shall take effect until the municipal year succeeding that in which the ordinance is passed.

Repeal.

Proviso.

SECTION 78. All acts and parts of acts inconsistent with this act are hereby repealed: *provided, however*, that the repeal of said acts shall not affect any act done or right accruing or accrued or established, or any suit or proceeding had or commenced in any civil suit before the time when such repeal takes effect, and that no offence committed and no penalty or forfeiture incurred under the acts hereby repealed and before the time when such repeal

takes effect shall be affected by the repeal; and that no suit or prosecution pending at the time of the said repeal, for any offence committed or for the recovery of any penalty or forfeiture incurred under the acts hereby repealed, shall be affected by such repeal; and *provided, also*, that all the ordinances of the city of Northampton which shall be in force at the time when said repeal takes effect, and which are not inconsistent with the provisions of this act, shall continue in force until the same are repealed by the board of aldermen.

Proviso.

SECTION 79. No act which has been heretofore repealed shall be revived by the repeal of the acts mentioned in the preceding section.

Certain acts not to be revived by repeal.

SECTION 80. This act shall be submitted to the qualified voters of the city of Northampton for acceptance at a special election to be held within sixty days from its passage. The vote shall be taken by ballot in answer to the following question: Shall an act passed by the general court in the year nineteen hundred, entitled "An Act to revise the Charter of the City of Northampton", be accepted?

Submission of question of acceptance.

YES.	
NO.	

In case this act is not accepted by the voters of said city at its first submission under this section it shall be submitted a second time to said voters at the annual state election in the year nineteen hundred, and the vote shall be taken by ballot in answer to the question above stated.

If not accepted to be submitted at state election.

SECTION 81. So much of this act as authorizes and directs the submission of the question of its acceptance to the qualified voters of said city shall take effect upon its passage; so much hereof as relates to elections hereunder shall apply to the annual municipal election to be held on the second Tuesday of December in the year nineteen hundred if the larger number of votes upon the question of its acceptance is in the affirmative; and if so accepted this act shall take full effect on the first Monday in January then next ensuing.

When to take effect.

Approved June 30, 1900.

AN ACT TO PROVIDE FOR THE BETTER PROTECTION OF LOBSTERS.
Be it enacted, etc., as follows:

Chap. 428

SECTION 1. Section one of chapter two hundred and twelve of the acts of the year eighteen hundred and eighty-four, as amended by section one of chapter three hundred and fourteen of the acts of the year eighteen hundred and

1884, 212, § 1, etc., amended.

- Protection of lobsters.** eighty-seven, is hereby amended by striking out the whole of said section and inserting in place thereof the following : — *Section 1.* Whoever sells or offers for sale, or has in his possession an uncooked lobster less than ten and one half inches in length, or a cooked lobster less than ten and one quarter inches in length, measuring from the extremity of the bone projecting from the head to the end of the bone of the middle flipper of the tail of the lobster, extended on its back its natural length, shall forfeit a sum not exceeding five dollars for every such lobster; and in all prosecutions under this section the possession of any lobster, cooked or uncooked, not of the prescribed length, shall be prima facie evidence to convict.
- Disposition of forfeitures.** *SECTION 2.* All forfeitures under this act shall be paid one half to the city or town in which the offence is committed and one half into the treasury of the Commonwealth.
- Repeal.** *SECTION 3.* All acts and parts of acts inconsistent herewith are hereby repealed. *Approved July 5, 1900.*

Chap. 429 AN ACT TO AUTHORIZE THE GREENFIELD ELECTRIC LIGHT AND POWER COMPANY TO TRANSACT BUSINESS IN THE TOWNS OF SHEL-BURNE, BUCKLAND AND CONWAY.

Be it enacted, etc., as follows :

The Greenfield Electric Light and Power Company may transact business in certain towns.

SECTION 1. The Greenfield Electric Light and Power Company, located in Greenfield, is hereby authorized, upon the approval of the board of gas and electric light commissioners, to carry on any or all branches of its business, other than the sale of electricity for light or power, in Shelburne, Buckland and Conway, or in any one or more of said towns; with all the rights, powers and privileges and subject to all the duties, liabilities and restrictions now or hereafter conferred or imposed by law upon such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

Chap. 430 AN ACT TO PROVIDE FOR THE INSTRUCTION OF THE ADULT BLIND AT THEIR HOMES BY THE PERKINS INSTITUTION AND MASSACHUSETTS SCHOOL FOR THE BLIND.

Be it enacted, etc., as follows :

Instruction of adult blind at their homes.

SECTION 1. There shall be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to be expended by the Perkins Institution

and Massachusetts School for the Blind, for the instruction of the adult blind at their homes ; but no expenditures shall be made under this act until the plans for such instruction have received the approval of the state board of education. It shall be the duty of the institution aforesaid to make a report to the state board of education of its doings under this act.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

AN ACT TO AUTHORIZE THE CITY OF CAMBRIDGE AND THE TOWN OF WATERTOWN TO TAKE CERTAIN LANDS OF THE PROPRIETORS OF THE CEMETERY OF MOUNT AUBURN FOR STREET PURPOSES.

Chap. 431

Be it enacted, etc., as follows :

SECTION 1. In order to make the southerly line of Mount Auburn street in Cambridge as nearly straight as practicable, and continuous with the southerly line of Mount Auburn street in Watertown as established by orders of the county commissioners of the county of Middlesex widening said street and the bridge over the tracks of the Watertown branch of the Fitchburg railroad, the city of Cambridge by its city council, at any time within three months from the date when this act takes effect, may take, by purchase or otherwise, and hold, lay out, maintain and improve for street purposes the whole or any part of a parcel of land belonging to the Proprietors of the Cemetery of Mount Auburn hereinafter described ; and in case the city should not take or purchase the said parcel within said three months, then the town of Watertown, by its board of selectmen, at any time after the expiration of said three months and within one year from the date when this act takes effect, may take, by purchase or otherwise, and hold the whole or any part of said parcel, and may lay out and improve the same for street purposes. Said parcel of land is bounded and described as follows : — Beginning on the southerly line of Mount Auburn street in Cambridge at the westerly corner of land of the said Proprietors of the Cemetery of Mount Auburn at the easterly line of the location of the Watertown branch of the Fitchburg railroad ; thence running easterly along and bounded by the southerly line of Mount Auburn street, forty-two feet, more or less ; thence running westerly by a curved line of one hundred feet radius, thirty-four feet, more or less ; thence running again westerly in a straight

Cambridge and Watertown may take certain land of Proprietors of the Cemetery of Mount Auburn for street purposes.

line, twenty feet, more or less, to the easterly line of the location of the Watertown branch of the Fitchburg railroad; thence running northeasterly on the easterly line of said location, sixteen feet, more or less, to the point of beginning. Said parcel is shown on a plan drawn by the city engineer of Cambridge, dated April, nineteen hundred.

Description
of land, etc., to
be recorded by
city.

SECTION 2. Said city shall, within sixty days after the taking by it of said land, otherwise than by purchase or gift, cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a description of the land taken and a copy of said plan, with a statement of the purpose for which the land is taken, which statement shall be signed by the mayor.

Damages.

SECTION 3. The estimation of damages, if any, caused by said taking, and the recovery of such damages, shall in all respects be made and had in the same manner as is provided by law for the laying out, altering, discontinuing and establishing the grade of highways in said city.

Description of
land, etc., to be
recorded by
town.

SECTION 4. Said town shall, within sixty days after the taking by it of the said land, otherwise than by purchase or gift, cause to be recorded in said registry of deeds a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same was taken, which statement shall be signed by the board of selectmen.

Damages.

SECTION 5. Said town shall pay all damages to property sustained by any person by the taking by it of the aforesaid land, and any such person who fails to agree with the town as to the amount of such damages may have them assessed and determined in the manner provided by law when land is taken for the laying out of highways, on application at any time within one year from the taking of said land.

Payment of
charges, ex-
penses, etc.

SECTION 6. The charges, expenses, damages and costs caused by, incident to or arising out of said taking, shall be apportioned between the city of Cambridge and the town of Watertown, in case the said city and town cannot agree upon the same, by a special commission of three disinterested persons to be appointed by the superior court or any justice thereof, in term time or vacation, upon the application of the mayor and aldermen of the city, or upon the application of the selectmen of the town. Upon such application the court shall cause notice thereof to be given to the town of Watertown or to the city of Cambridge

fourteen days at least before the time fixed for the hearing, which may be had either at a sitting of the court held in said county or in Boston, and after a hearing shall appoint said commission. Said commission shall meet as soon as may be after its members receive their appointment, and after notice to and hearing the parties, with power to compel the attendance of witnesses before it, shall make apportionment in writing and return the same to court. The decree of the court confirming the decision of the commission shall be final and binding.

Approved July 5, 1900.

AN ACT RELATIVE TO THE REPAIR OF STATE HIGHWAYS BY OR UNDER THE DIRECTION OF THE MASSACHUSETTS HIGHWAY COMMISSION, AND TO THE CONSTRUCTION OR REPAIR OF HIGHWAYS IN CERTAIN SMALL TOWNS. Chap. 432

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts highway commission shall, in January of each year, certify to the treasurer and receiver general the amount of the expenditure for repairs of state highways in each city and town during the preceding year; and the said amount up to but not exceeding fifty dollars per mile shall be made a part of the state tax for such cities and towns respectively, and as such, assessed and collected. The said amount shall be credited to the appropriation for state highways to be used again by the Massachusetts highway commission. Such repairs may be made by the city or town concerned, at its election, under the direction of the Massachusetts highway commission, and at prices mutually agreed upon, and in such case the expenditure therefor in excess of fifty dollars per mile shall be repaid to the city or town by the Massachusetts highway commission out of the annual appropriation for state highways.

Payment of expenses for repairs of state highways, etc.

SECTION 2. Of the amount appropriated each year for the construction and repair of state highways five per cent shall be expended under the direction of the Massachusetts highway commission in such towns and in such amounts as it shall determine, in constructing or repairing highways in towns in which no state highway has been built. Such allotments and expenditures shall be made only upon petition of selectmen of towns, and any highway constructed or repaired under the provisions of this section

Construction or repair of highways in towns in which no state highway has been built.

Proviso. shall remain a town highway and subject to all laws relating thereto: *provided*, that no town shall receive in one year a sum exceeding forty per cent of its average appropriations for highway purposes for the five years next previous.

SECTION 3. This act shall take effect upon its passage.

Approved July 5, 1900.

Chap.433 AN ACT RELATIVE TO THE APPOINTMENT OF COURT OFFICERS IN THE MUNICIPAL COURTS IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows :

Provisions of chapter 457, Acts of 1898, extended to other municipal courts in Suffolk county.

SECTION 1. The provisions of chapter four hundred and fifty-seven of the acts of the year eighteen hundred and ninety-five are hereby extended to each of the other municipal courts in the county of Suffolk, and the powers and duties conferred or imposed by the said act upon the justices of the municipal court of the city of Boston shall be exercised and performed, so far as each of the said other municipal courts is concerned, by the justice thereof.

Appointment of officers.

SECTION 2. The officers to be appointed under the provisions of this act shall not exceed one each for the municipal courts of the East Boston, Dorchester, West Roxbury and Brighton districts, and two each for the municipal courts of the South Boston, Charlestown and Roxbury districts.

Repeal.

SECTION 3. Section fifty-four of chapter one hundred and fifty-four of the Public Statutes, and all acts and parts of acts inconsistent herewith, are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved July 5, 1900.

Chap.434 AN ACT TO PROVIDE FOR BUILDING JETTIES, BREAKWATERS, SEA WALLS OR OTHER STRUCTURES IN THE TOWN OF SCITUATE, BY THE BOARD OF HARBOR AND LAND COMMISSIONERS.

Be it enacted, etc., as follows :

Harbor and land commissioners may build jetties, sea walls, etc., in Scituate.

SECTION 1. The board of harbor and land commissioners is hereby authorized and directed to build such jetties, retaining walls, breakwaters, sea walls or other structures in the town of Scituate as it may deem necessary for the protection of the shores and harbor from encroachments or damage by the sea, and is authorized to expend for this purpose a sum not exceeding fifteen thousand dollars.

SECTION 2. Said board may take by purchase or otherwise, in the name and behalf of the Commonwealth, any land or materials necessary for carrying out the provisions of this act. The manner of such taking and of determining the damages caused thereby, or by any doings of said board under the provisions of this act, shall be the same as is provided by sections seven and eight of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, relating to the taking of land by the metropolitan park commission; and said board shall for the purposes of this act have the same powers which are conferred upon the metropolitan park commission by said sections. The damages when finally determined shall be paid from the treasury of the Commonwealth to the person or persons entitled thereto.

May take necessary lands, etc.

SECTION 3. No contract made under authority of this act shall be valid until approved in writing by the governor and council.

Contracts to be approved by governor and council.

SECTION 4. This act shall take effect upon its passage.

Approved July 5, 1900.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF BERKSHIRE TO PAY A SUM OF MONEY TO THE WIDOW OF DEMPSTER J. COLEMAN.

Chap. 435

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Berkshire are hereby authorized to pay to the widow of Dempster J. Coleman late clerk of the district court of southern Berkshire, who died on the tenth day of February in the year nineteen hundred, the sum of six hundred twenty-two dollars and twenty-seven cents, being the amount which said Dempster J. Coleman would have been entitled to receive if he had lived and continued to serve as such clerk until the end of the current year.

County of Berkshire may pay a sum of money to widow of Dempster J. Coleman.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

AN ACT IN ADDITION TO AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED DURING THE PRESENT YEAR, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Chap. 436

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Com-

Appropriations.

monwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit: —

Regulating fishing in certain brooks.

For expenses in connection with regulating fishing in brooks stocked by the commissioners on inland fisheries and game, as authorized by chapter two hundred and eighty-four of the acts of the present year, a sum not exceeding five hundred dollars.

Assistant register of probate, etc., Essex county.

For the salary of the assistant register of probate and insolvency for the county of Essex, as authorized by chapter three hundred and twenty-eight of the acts of the present year, the sum of five hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Assistant register of probate, etc., Middlesex county.

For the salary of the assistant register of probate and insolvency for the county of Middlesex, as authorized by chapter three hundred and forty-seven of the acts of the present year, the sum of four hundred sixteen dollars and sixty-seven cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

General agent of dairy bureau.

The twelve hundred dollars appropriated by chapter thirty-one of the acts of the present year for the salary of an assistant to the secretary of the state board of agriculture is hereby made applicable for the payment of the salary of the general agent of the dairy bureau, authorized by chapter three hundred and sixty-eight of the acts of the present year.

Probation officers.

For compensation of probation officers, as authorized by section seven of chapter three hundred and fifty-six of the acts of the year eighteen hundred and ninety-one, a sum not exceeding five hundred dollars, the same to be in addition to the six hundred dollars appropriated by chapter forty-nine of the acts of the present year.

First clerk in office of secretary of the Commonwealth.

For the salary of the first clerk in the office of the secretary of the Commonwealth, as authorized by chapter three hundred and eighty-three of the acts of the present year, the sum of three hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Second clerk.

For the salary of the second clerk in the office of the secretary of the Commonwealth, as authorized by chapter three hundred and eighty-three of the acts of the present year, the sum of two hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

For the Lowell textile school, as authorized by chapter seventy-six of the resolves of the present year, the sum of sixteen thousand dollars.

Lowell textile school.

For the erection of tablets or monuments at Andersonville, Georgia, on grounds formerly occupied as a confederate prison, as authorized by chapter seventy-seven of the resolves of the present year, a sum not exceeding eight thousand dollars.

Erection of monuments, etc., at Andersonville, Georgia.

For George Dunbar, as authorized by chapter seventy-eight of the resolves of the present year, the sum of one hundred and twenty-five dollars.

George Dunbar.

For building and equipping a new laundry building at the Danvers insane hospital, as authorized by chapter seventy-nine of the resolves of the present year, a sum not exceeding twenty-five thousand dollars.

Danvers insane hospital.

For printing additional copies of the official opinions of the attorney-general, as authorized by chapter eighty of the resolves of the present year, a sum not exceeding two thousand dollars.

Copies of official opinions of attorney-general.

For certain veterans of the town of Stoneham, as authorized by chapter eighty-one of the resolves of the present year, the sum of two hundred and fifty dollars.

Certain veterans of town of Stoneham.

For William H. Goodwin, as authorized by chapter eighty-two of the resolves of the present year, the sum of one hundred and twenty-five dollars.

William H. Goodwin.

For the widow of Nicholas B. Keyou, as authorized by chapter eighty-four of the resolves of the present year, the sum of seven hundred and fifty dollars.

Widow of Nicholas B. Keyou.

For the widow of Charles R. Ayer, as authorized by chapter eighty-five of the resolves of the present year, the sum of eight hundred and fifty dollars.

Widow of Charles R. Ayer.

For improvements of the Hospital Cottages for Children at Baldwinville, as authorized by chapter eighty-six of the resolves of the present year, a sum not exceeding forty thousand dollars.

Hospital Cottages for Children.

For the salary of the chief justice of the superior court, as authorized by chapter three hundred and eighty-five of the acts of the present year, the sum of four hundred sixteen dollars and sixty-seven cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Chief justice of superior court.

For the salaries of the seventeen associate justices of the superior court, as authorized by chapter three hundred and eighty-five of the acts of the present year, the sum of seven thousand eighty-three dollars and thirty-nine

Associate justices of superior court.

cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Repair of certain highways and bridges in Marshfield.

For repairing certain highways and bridges in the town of Marshfield, as authorized by chapter three hundred and eighty-nine of the acts of the present year, a sum not exceeding twenty thousand dollars.

Report on boundary line between Massachusetts and New York.

For printing additional copies of the report of the commissioners on the topographical survey and map of Massachusetts on the boundary line between the Commonwealth and the state of New York, as authorized by chapter fifty-eight of the resolves of the present year, the sum of twenty-one dollars and thirty-nine cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses of general agent of dairy bureau.

The expenses of the general agent of the dairy bureau, authorized by chapter three hundred and sixty-eight of the acts of the present year, shall be paid from the appropriation for expenses of the state dairy bureau, provided for by chapter thirty-one of the acts of the present year.

State library.

For contingent expenses in the state library, to be expended under the direction of the trustees and librarian, a sum not exceeding seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Ellen B. Good.

For Ellen B. Good, as authorized by chapter eighty-seven of the resolves of the present year, the sum of eight hundred and fifty dollars.

Widow of Walbridge Abner Field.

For the widow of Walbridge Abner Field, as authorized by chapter eighty-eight of the resolves of the present year, the sum of three thousand six hundred seventy-seven dollars and forty-two cents.

Levi G. Perry.

For Levi G. Perry, as authorized by chapter eighty-nine of the resolves of the present year, the sum of six hundred and fifty dollars.

Catherine Glynn.

For Catherine Glynn, as authorized by chapter ninety of the resolves of the present year, the sum of two hundred eight dollars and thirty-four cents.

Railroad commissioners.

For the salaries of the railroad commissioners, as authorized by chapter four hundred and six of the acts of the present year, the sum of one thousand twenty-two dollars and twenty cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Judge of probate and insolvency, Worcester county.

For the salary of the judge of probate and insolvency for the county of Worcester, as authorized by chapter

four hundred and eight of the acts of the present year, the sum of five hundred eleven dollars and ten cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

For the salary of the judge of probate and insolvency for the county of Essex, as authorized by chapter four hundred and eight of the acts of the present year, the sum of four hundred eight dollars and eighty-nine cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Judge of probate and insolvency, Essex county.

For the widow of Isaac C. Wright, as authorized by chapter ninety-one of the resolves of the present year, the sum of two hundred and seventeen dollars.

Widow of Isaac C. Wright.

For the widow of George R. R. Rivers, as authorized by chapter ninety-two of the resolves of the present year, the sum of seven hundred and fifty dollars.

Widow of George R. R. Rivers.

For the widow of Justin Dewey, as authorized by chapter ninety-three of the resolves of the present year, the sum of forty-three hundred forty-six dollars and seventy-seven cents.

Widow of Justin Dewey.

For the widow of Franklin A. Gowen, as authorized by chapter ninety-four of the resolves of the present year, the sum of one thousand and twenty-five dollars.

Widow of Franklin A. Gowen.

For Hiram P. Harriman, as authorized by chapter ninety-five of the resolves of the present year, the sum of one hundred and five dollars.

Hiram P. Harriman.

For travelling and other necessary expenses of the state board of charity, and for salaries and expenses in the office of the clerk and auditor of said board, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses of state board of charity, etc.

For salaries and expenses in the division of state minor wards, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses in division of state minor wards.

For the care and maintenance of indigent and neglected children and juvenile offenders, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Care, etc., of indigent and neglected children.

For the support of state paupers in the Massachusetts School for the Feeble-minded, and the Hospital Cottages for Children, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Support of certain state paupers.

Instruction of
children
boarded out by
state board of
charity.

For instruction in the public schools in any city or town of the Commonwealth of children boarded or bound out by the state board of charity, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses in
connection with
diseases danger-
ous to public
health.

For expenses in connection with smallpox and other diseases dangerous to the public health, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

Chap. 437 AN ACT RELATIVE TO THE TAKING OF LAND BY CITIES AND TOWNS
FOR THE ERECTION OF PUBLIC BUILDINGS.

Be it enacted, etc., as follows :

1899, 879, § 1,
amended.

SECTION 1. Section one of chapter three hundred and seventy-nine of the acts of the year eighteen hundred and ninety-nine is hereby amended by striking out the words "one acre", in the ninth line, and inserting in place thereof the words:—two acres,—so as to read as follows:—

Cities and
towns may take
land for certain
purposes.

Section 1. The city council of a city, or the inhabitants of a town at a town meeting regularly called for the purpose, may vote to take in fee any land within the limits of the city or town not appropriated to public uses, for the purpose of erecting thereon any building to be used for a public school, library or engine house, or for the enlargement of any lot taken or used for such purpose, but no land shall be so taken which will make the lot exceed in area two acres. Such vote shall contain a description of the land to be taken, sufficient for identification.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

Chap. 438 AN ACT RELATIVE TO THE MAINTENANCE OF ROCKS BRIDGE ON THE
MERRIMAC RIVER.

Be it enacted, etc., as follows :

1897, 125, § 1,
amended.

SECTION 1. Section one of chapter one hundred and twenty-five of the acts of the year eighteen hundred and ninety-seven is hereby amended by striking out the whole of said section and inserting in place thereof the following:—*Section 1.* The county commissioners of the county of Essex shall, within three months from the first day of June in the year nineteen hundred, proceed to re-

Maintenance of
Rocks bridge.

apportion the cost of maintenance of Rocks bridge over the Merrimac river, connecting the city of Haverhill and the town of West Newbury, upon such cities and towns as receive direct and specific benefit from the use of said bridge; and, if they deem it equitable, such part of said cost and expense as they deem proper, upon the county of Essex.

SECTION 2. This act shall take effect upon its passage.

Approved July 5, 1900.

AN ACT RELATIVE TO THE RELOCATION AND COMPLETION OF THE BRIDGE OVER THE ACUSHNET RIVER BETWEEN THE CITY OF NEW BEDFORD AND THE TOWN OF FAIRHAVEN.

Chap. 439

Be it enacted, etc., as follows:

SECTION 1. The board of railroad commissioners and the board of harbor and land commissioners, who for this purpose are constituted a joint board to act by a majority vote of all the members thereof, shall prescribe the manner in which so much of the highway, bridge and the approaches thereto, between the city of New Bedford and the town of Fairhaven, as has not been constructed by the county commissioners of the county of Bristol, under the provisions of chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-three, and all acts in amendment thereof and in addition thereto, shall be constructed and completed, and, except as herein otherwise provided, maintained by the city of New Bedford, from the east side of Fish island to the east line of Water street, in accordance with the recommendations and report of said joint board to the general court of the year nineteen hundred, and in accordance with plans, specifications and requirements to be adopted and approved by said joint board, and by them to be duly filed in the registry of deeds for the county of Bristol, southern district; and said city in the construction and completion thereof as thus prescribed, shall exercise all the powers and perform all the duties pertaining thereto imposed upon said county commissioners by said acts, not inconsistent herewith.

Construction, etc., of highway, bridge, etc., between New Bedford and Fairhaven.

SECTION 2. The city of New Bedford is hereby authorized and directed to locate and lay out anew said bridge and the approaches and way leading thereto, in the manner prescribed by said joint board, and to take therefor, by purchase or otherwise, the private property of persons and

City of New Bedford to locate and lay out bridge, approaches, etc.

corporations, as provided in section four of chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-three, in relation to the taking of lands by the said county commissioners. All proposals for bids for the construction of the whole or any portion of said bridge by said city shall be expressed therein to be subject to the right of said city to reject any and all bids not approved in writing by said joint board.

Temporary
bridge may be
constructed,
etc.

SECTION 3. The city of New Bedford is hereby authorized to construct a temporary bridge over the channel of the river between said city and the west side of Fish island, which temporary bridge and the approaches thereto shall be constructed as ordered and approved by said joint board; and the Union Street Railway Company shall have the right to lay and operate its tracks upon said temporary bridge, under such regulations, terms and conditions as said joint board may prescribe.

Expense of
construction,
etc.

SECTION 4. The expense of the construction of said bridge, as herein provided, including land and grade damages, and said temporary bridge and approaches thereto, shall be borne in the first instance by the city of New Bedford, and said city is hereby authorized and directed to borrow from time to time outside of its debt limit, upon the credit of said city, such sums of money as may be required to meet the expenses incurred by said city under the provisions of this act. Said city shall keep a separate and accurate detailed account of the cost of the construction, including land and grade damages, together with all interest paid on moneys borrowed upon account thereof, of said bridge between its present terminus at the east side of Fish island and its terminus at the east line of Water street, inclusive, and all costs, charges and expenditures incurred in the construction and maintenance of said temporary bridge and the necessary ways and approaches thereto.

Certified state-
ment of cost,
etc., to be filed,
etc.

SECTION 5. Upon the completion of said bridge, as herein provided, said city of New Bedford shall file in the office of the clerk of the superior court for the county of Bristol a detailed statement, certified by the treasurer of said city, of the cost of constructing and completing said bridge, which statement shall set forth the cost of said bridge, between its present terminus on the east side of Fish island and the east line of said Water street, inclusive, together with the cost of said temporary bridge and

the approaches thereto, and also a detailed statement of all land and grade damages awarded, and all land and grade damages claimed which have not been awarded.

SECTION 6. The entire cost, including interest paid thereon, land and grade damages, and the cost of said temporary bridge and approaches thereto, of constructing said bridge between its present terminus and the east line of said Water street, inclusive, shall be apportioned by the commissioners appointed by the superior court for the county of Bristol in the manner provided in section six of said chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-three, and said commissioners shall apportion the same in the manner following, to wit: — Upon the county of Bristol, two hundred and twenty thousand dollars, to be apportioned by said commissioners between the cities and towns in the county of Bristol, as provided in said section six; upon the Commonwealth of Massachusetts, twelve per cent of the balance, not to exceed in any event the sum of thirty thousand dollars; upon the Old Colony Railroad Company, thirty-three per cent of said balance, not to exceed in any event the sum of ninety thousand dollars; upon the Union Street Railway Company, ten per cent of said balance, not to exceed in any event the sum of twenty-five thousand dollars; upon the town of Fairhaven, five per cent of said balance, not to exceed in any event the sum of twelve thousand five hundred dollars; upon the city of New Bedford the rest and residue of said balance. The commissioners of said county of Bristol shall borrow on the credit of said county all sums of money required to meet the obligations of said county of Bristol under the provisions of this act. The money so borrowed shall be deposited in the county treasury, and the county treasurer shall pay out the same upon demand, in satisfaction of the judgments which said city of New Bedford shall recover against said county of Bristol for the amounts decreed by the superior court, as hereinafter provided, to be paid by said county of Bristol under the provisions of this act.

Apportionment
of cost, etc.

County commissioners
to borrow money
on credit of
county, etc.

SECTION 7. Said commissioners shall determine and name the proportion of the expense of the care, maintenance and repairs of that part of said bridge and of the approaches thereto constructed under this act, that shall be paid by such cities and towns in the county of Bristol, as said commissioners shall designate, in the manner pro-

Commissioners
to determine
proportion of
expense to be
paid by cities
and towns.

Old Colony
Railroad Com-
pany to keep in
repair the frame
work of portion
of bridge, etc.

vided in said section six of said chapter three hundred and sixty-eight. The Old Colony Railroad Company shall maintain and keep in repair the framework of that part of said bridge constructed over its location, together with all abutments, piers and supports for the same within said location, and the surface thereof and its approaches shall be maintained and kept in repair by the city of New Bedford, in accordance with the provisions of section six of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety.

To whom copies
of report filed
by commis-
sioners shall be
transmitted,
etc.

SECTION 8. A copy of the report filed by said commissioners under the provisions of section six of said chapter three hundred and sixty-eight and as provided herein, certified by the clerk of the superior court for the county of Bristol, shall be forthwith, in addition to the parties therein designated, transmitted to the Commonwealth, the Old Colony Railroad Company, the Union Street Railway Company, the commissioners of the county of Bristol, and the town of Fairhaven. Said superior court, after said report shall have been accepted and affirmed, as provided in section six of said chapter three hundred and sixty-eight, shall in addition to the judgment to be entered thereon, as provided in section six of said act, enter judgments thereon in favor of said city of New Bedford against said Old Colony Railroad Company, said Union Street Railway Company, said county of Bristol, and said town of Fairhaven, for the amount apportioned to each, respectively, under the provisions of section four of this act, with interest thereon, not exceeding the rate paid by said city from the date of the report to the date of the judgment, and thereafter at the rate of six per cent. The amount apportioned to said Commonwealth shall be paid by the treasurer thereof, upon the written order of the governor, out of the fund provided by the Commonwealth for the abolition of grade crossings, under chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety.

Judgments to
be entered in
favor of New
Bedford, etc.

How amount
apportioned to
the Common-
wealth shall be
paid.

Care, mainten-
ance, etc., of
bridge, high-
way, etc.,
after comple-
tion.

SECTION 9. Upon the completion of said highway and bridge the city of New Bedford shall forthwith cause notice thereof to be served upon the selectmen of the town of Fairhaven, and said notice, with the return of service thereof, shall thereupon be filed in the office of the clerk of the superior court for the county of Bristol, and thereafter the care, maintenance and superintendence of such

parts of said highway, bridge, approaches, draw, abutments and piers as lie within the corporate limits of the city of New Bedford and the town of Fairhaven, respectively, except that portion of said bridge which the Old Colony Railroad Company shall maintain under the provisions of this act, shall devolve upon the respective officers of said city and town, in accordance with the provisions of section eight of said chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-three.

SECTION 10. Said city of New Bedford is hereby authorized to take, by purchase or otherwise, any or all lands lying between the west line of Water street on the east and the east line of Second street on the west, and the south line of Ark lane on the north and the north line of Middle street on the south, in said city, and all lands so taken shall be laid out and maintained by said city as an approach to said bridge, subject to all the laws of the Commonwealth relative to the laying out of public squares and public parks and for the assessment of betterments upon account of the taking and laying out thereof.

City of New Bedford may take certain lands, etc.

SECTION 11. The city of New Bedford shall forthwith file in the registry of deeds for the southern district of the county of Bristol a description of all property, with metes and bounds, taken under this act, and with their appraisal of the damages by them awarded to the owners of said property. Any person aggrieved by the award of said city may within one year from the filing of the description aforesaid apply for a jury in the superior court to appraise said damages, in the same manner and subject to the same provisions of law as in the case of lands taken for a highway.

Description of property to be filed, etc.

SECTION 12. Upon the completion of said highway, bridge and the approaches thereto, the city of New Bedford and the town of Fairhaven may each, subject to any agreement heretofore existing between the town of Fairhaven and the city of New Bedford, respectively, and the Union Street Railway Company, grant to said Union Street Railway Company, its successors and assigns, a location of tracks within their respective limits, in, over and upon said highway, bridge, draw and the ways and approaches thereto. Any franchise heretofore granted to said Union Street Railway Company by said city of New Bedford or by said town of Fairhaven, subject to compliance by said

Location of tracks may be granted to Union Street Railway Company, etc.

Union Street Railway Company, its successors and assigns, with the provisions of this act, and subject to all the laws of this Commonwealth applicable to street railways, is hereby ratified and confirmed.

Damages.

SECTION 13. All damages sustained by any person or corporation in their property by reason of anything done under this act may be recovered in the manner provided by law for the recovery of damages caused by the laying out of highways. Chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-seven is hereby repealed.

Not to exempt county commissioners from performing certain duties, etc.

SECTION 14. Nothing herein contained shall exempt the commissioners of the county of Bristol from performing all the duties and exercising all the powers imposed upon them by chapter three hundred and sixty-eight of the acts of the year eighteen hundred and ninety-three, except as herein otherwise provided, in relation to so much of the highway, bridge, draw and the approaches thereto, as has been heretofore constructed, located or laid out by said commissioners between the town of Fairhaven and the west side of Fish island. Said commissioners, upon due notice from the city of New Bedford of the completion of said bridge, shall forthwith file all reports and perform all acts required of them under said chapter three hundred and sixty-eight and acts in amendment thereof and in addition thereto, so far as the same relates to the acts of said commissioners concerning the lay-out and construction of said bridge heretofore performed by them, including all damages paid and all damages awarded but not paid by them upon account thereof.

Certain cities and towns may issue bonds, etc.

SECTION 15. The city of New Bedford and any other city or town in the county of Bristol upon which any portion of the expense of the construction and completion of said bridge shall be apportioned under this act may issue bonds or other securities for the payment of the same, outside of its debt limit, which bonds or securities shall be payable not more than fifty years from the date thereof, and the premiums thereon shall be applied to the sinking fund established for the payment of the indebtedness thereby incurred.

Amount of assessment, etc., of Union Street Railway Company to be deemed part of value of its property, etc.

SECTION 16. The amount of any assessment or contribution paid by said Union Street Railway Company under sections six and eight, and of all expenses incurred by it in constructing temporary bridges to prevent inter-

ruption of travel, and in changing and adapting its railway from its former location over the bridge and approaches thereto between Main street in the town of Fairhaven and said Water street, to, and constructing its railway upon, the bridge, way and approaches as the same have been heretofore by the county commissioners, and may be under the provisions of this act by the city of New Bedford, relocated and laid out anew, shall be deemed and taken in all proceedings hereafter as a part of the value of its property for street railway purposes; and said company may issue stock or bonds to the amount which said board of railroad commissioners shall find to have been actually so paid by or to have become a legal liability of said company.

SECTION 17. This act shall take effect upon its passage.

Approved July 6, 1900.

AN ACT RELATIVE TO THE SALE OF TOBACCO ON THE LORD'S DAY. *Chap.440*
Be it enacted, etc., as follows:

SECTION 1. Nothing contained in section two of chapter four hundred and thirty-four of the acts of the year eighteen hundred and ninety-five shall be held to prohibit the retail sale of tobacco in any of its forms on the Lord's day by licensed innholders, common victuallers, druggists, and newsdealers whose stores are open for the sale of newspapers every day in the week. Retail sale of tobacco on the Lord's day.

SECTION 2. This act shall take effect upon its passage.

Approved July 6, 1900.

AN ACT TO APPORTION AND ASSESS A STATE TAX OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS. *Chap.441*

Be it enacted, etc., as follows:

SECTION 1. Each city and town in this Commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say:— State tax apportioned and assessed.

- Abington, thirteen hundred and thirty-five dollars.
- Acton, eight hundred and seventy dollars.
- Acushnet, three hundred and sixty dollars.
- Adams, twenty-six hundred and ten dollars.
- Agawam, seven hundred and sixty-five dollars.
- Alford, one hundred and five dollars.
- Amesbury, three thousand and fifteen dollars.

State tax ap-
portioned and
assessed.

Amherst, seventeen hundred and fifty-five dollars.
Andover, twenty-eight hundred and twenty dollars.
Arlington, forty-six hundred and thirty-five dollars.
Ashburnham, five hundred and seventy dollars.
Ashby, two hundred and eighty-five dollars.
Ashfield, two hundred and eighty-five dollars.
Ashland, six hundred and forty-five dollars.
Athol, twenty-two hundred and ninety-five dollars.
Attleborough, thirty-one hundred and thirty-five dollars.
Auburn, three hundred and thirty dollars.
Avon, four hundred and sixty-five dollars.
Ayer, seven hundred and sixty-five dollars.
Barnstable, twenty-two hundred and thirty-five dollars.
Barre, eight hundred and twenty-five dollars.
Becket, two hundred and fifty-five dollars.
Bedford, five hundred and fifty-five dollars.
Belchertown, five hundred and ten dollars.
Bellingham, four hundred and twenty dollars.
Belmont, twenty-four hundred and forty-five dollars.
Berkley, two hundred and fifty-five dollars.
Berlin, two hundred and seventy dollars.
Bernardston, two hundred and fifty-five dollars.
Beverly, eighty-one hundred and fifteen dollars.
Billerica, eleven hundred and seventy dollars.
Blackstone, fourteen hundred and eighty-five dollars.
Blandford, two hundred and fifty-five dollars.
Bolton, two hundred and seventy dollars.
Boston, five hundred thirty-six thousand six hundred and seventy dollars.
Bourne, eleven hundred and fifty-five dollars.
Boxborough, one hundred and twenty dollars.
Boxford, five hundred and ten dollars.
Boylston, three hundred dollars.
Braintree, twenty-six hundred and ten dollars.
Brewster, three hundred and fifteen dollars.
Bridgewater, fourteen hundred and ten dollars.
Brimfield, two hundred and forty dollars.
Brockton, fourteen thousand two hundred and fifty dollars.
Brookfield, eight hundred and forty dollars.
Brookline, thirty-six thousand three hundred and sixty dollars.
Buckland, three hundred and forty-five dollars.
Burlington, two hundred and seventy dollars.
Cambridge, forty-eight thousand one hundred and ninety-five dollars.
Canton, twenty-four hundred and thirty dollars.
Carlisle, one hundred and eighty dollars.
Carver, four hundred and eighty dollars.
Charlemont, two hundred and ten dollars.

Charlton, five hundred and forty dollars.
 Chatham, five hundred and twenty-five dollars.
 Chelmsford, thirteen hundred and five dollars.
 Chelsea, twelve thousand seven hundred and sixty-five dollars.
 Cheshire, four hundred and five dollars.
 Chester, three hundred and seventy-five dollars.
 Chesterfield, one hundred and sixty-five dollars.
 Chicopee, fifty-three hundred and seventy dollars.
 Chilmark, one hundred and twenty dollars.
 Clarksburg, one hundred and fifty dollars.
 Clinton, thirty-nine hundred and seventy-five dollars.
 Cohasset, thirty-one hundred and five dollars.
 Colrain, three hundred and sixty dollars.
 Concord, twenty-three hundred and eighty-five dollars.
 Conway, three hundred and ninety dollars.
 Cottage City, eight hundred and forty dollars.
 Cummington, one hundred and sixty-five dollars.
 Dalton, sixteen hundred and twenty dollars.
 Dana, one hundred and eighty dollars.
 Danvers, twenty-eight hundred and twenty dollars.
 Dartmouth, fourteen hundred and eighty-five dollars.
 Dedham, forty-four hundred and fifty-five dollars.
 Deerfield, seven hundred and thirty-five dollars.
 Dennis, seven hundred and fifty dollars.
 Dighton, four hundred and eighty dollars.
 Douglas, six hundred dollars.
 Dover, five hundred and fifty-five dollars.
 Dracut, ten hundred and eighty dollars.
 Dudley, six hundred and fifteen dollars.
 Dunstable, one hundred and sixty-five dollars.
 Duxbury, nine hundred dollars.
 East Bridgewater, eight hundred and eighty-five dollars.
 East Longmeadow, three hundred and seventy-five dollars.
 Eastham, one hundred and eighty dollars.
 Easthampton, sixteen hundred and five dollars.
 Easton, twenty-seven hundred and thirty dollars.
 Edgartown, four hundred and five dollars.
 Egremont, two hundred and fifty-five dollars.
 Enfield, four hundred and fifty dollars.
 Erving, two hundred and forty dollars.
 Essex, six hundred and fifteen dollars.
 Everett, eighty-one hundred and thirty dollars.
 Fairhaven, thirteen hundred and thirty-five dollars.
 Fall River, thirty-eight thousand seven hundred and thirty dollars.
 Falmouth, thirty-seven hundred and ninety-five dollars.
 Fitchburg, twelve thousand five hundred and ten dollars.
 Florida, ninety dollars.
 Foxborough, ten hundred and eighty dollars.

State tax ap-
portioned and
assessed.

State tax ap-
portioned and
assessed.

Framingham, fifty-one hundred and thirty dollars.
Franklin, seventeen hundred and twenty-five dollars.
Freetown, four hundred and ninety-five dollars.
Gardner, twenty-eight hundred and ninety-five dollars.
Gay Head, fifteen dollars.
Georgetown, six hundred dollars.
Gill, two hundred and seventy dollars.
Gloucester, eighty-eight hundred and ninety-five dollars.
Goshen, seventy-five dollars.
Gosnold, one hundred and twenty dollars.
Grafton, thirteen hundred and ninety-five dollars.
Granby, two hundred and fifty-five dollars.
Granville, two hundred and ten dollars.
Great Barrington, two thousand and eighty-five dollars.
Greenfield, thirty-three hundred and ninety dollars.
Greenwich, one hundred and fifty dollars.
Groton, fifteen hundred and ninety dollars.
Groveland, five hundred and seventy dollars.
Hadley, five hundred and fifty-five dollars.
Halifax, one hundred and fifty dollars.
Hamilton, nine hundred and seventy-five dollars.
Hampden, two hundred and twenty-five dollars.
Hancock, one hundred and eighty dollars.
Hanover, seven hundred and ninety-five dollars.
Hanson, three hundred and ninety dollars.
Hardwick, eight hundred and eighty-five dollars.
Harvard, five hundred and fifty-five dollars.
Harwich, six hundred and ninety dollars.
Hatfield, five hundred and eighty-five dollars.
Haverhill, fourteen thousand and eighty-five dollars.
Hawley, ninety dollars.
Heath, ninety dollars.
Hingham, twenty-four hundred and sixty dollars.
Hinsdale, three hundred and ninety dollars.
Holbrook, seven hundred and eighty dollars.
Holden, six hundred and seventy-five dollars.
Holland, forty-five dollars.
Holliston, nine hundred and fifteen dollars.
Holyoke, eighteen thousand two hundred and eighty-five dol-
lars.
Hopedale, nineteen hundred and sixty-five dollars.
Hopkinton, ten hundred and fifty dollars.
Hubbardston, three hundred and seventy-five dollars.
Hudson, seventeen hundred and eighty-five dollars.
Hull, eighteen hundred and sixty dollars.
Huntington, two hundred and eighty-five dollars.
Hyde Park, fifty-one hundred and thirty dollars.
Ipswich, seventeen hundred and twenty-five dollars.
Kingston, nine hundred dollars.

State tax ap-
portioned and
assessed.

Lakeville, three hundred dollars.
 Lancaster, sixteen hundred and eighty dollars.
 Lanesborough, two hundred and fifty-five dollars.
 Lawrence, twenty thousand two hundred and five dollars.
 Lee, ten hundred and twenty dollars.
 Leicester, thirteen hundred and sixty-five dollars.
 Lenox, nineteen hundred and twenty dollars.
 Leominster, thirty-seven hundred and five dollars.
 Leverett, one hundred and sixty-five dollars.
 Lexington, twenty-five hundred and ninety-five dollars.
 Leyden, one hundred and sixty-five dollars.
 Lincoln, ten hundred and twenty dollars.
 Littleton, four hundred and ninety-five dollars.
 Longmeadow, four hundred and twenty dollars.
 Lowell, thirty-nine thousand seven hundred and twenty dollars.
 Ludlow, seven hundred and twenty dollars.
 Lunenburg, four hundred and twenty dollars.
 Lynn, twenty-eight thousand and ninety-five dollars.
 Lynnfield, three hundred and forty-five dollars.
 Malden, fifteen thousand six hundred and ninety dollars.
 Manchester, forty-two hundred and sixty dollars.
 Mansfield, ten hundred and sixty-five dollars.
 Marblehead, thirty-one hundred and ninety-five dollars.
 Marion, five hundred and forty dollars.
 Marlborough, fifty-one hundred dollars.
 Marshfield, seven hundred and eighty dollars.
 Mashpee, one hundred and five dollars.
 Mattapoisett, eight hundred and seventy dollars.
 Maynard, twelve hundred dollars.
 Medfield, seven hundred and ninety-five dollars.
 Medford, ten thousand and twenty dollars.
 Medway, seven hundred and ninety-five dollars.
 Melrose, sixty-six hundred and forty-five dollars.
 Mendon, three hundred and fifteen dollars.
 Merrimac, seven hundred and thirty-five dollars.
 Methuen, twenty-one hundred and ninety dollars.
 Middleborough, twenty-three hundred and ten dollars.
 Middlefield, one hundred and thirty-five dollars.
 Middleton, three hundred dollars.
 Milford, thirty-one hundred and sixty-five dollars.
 Millbury, twelve hundred and ninety dollars.
 Millis, three hundred and ninety dollars.
 Milton, ten thousand eight hundred and ninety dollars.
 Monroe, ninety dollars.
 Monson, ten hundred and ninety-five dollars.
 Montague, twenty-one hundred dollars.
 Monterey, one hundred and thirty-five dollars.
 Montgomery, seventy-five dollars.
 Mount Washington, forty-five dollars.

State tax ap-
portioned and
assessed

Nahant, thirty-one hundred and eighty dollars.
 Nantucket, seventeen hundred and fifty-five dollars.
 Natick, thirty-three hundred and thirty dollars.
 Needham, seventeen hundred and eighty-five dollars.
 New Ashford, thirty dollars.
 New Bedford, thirty-one thousand nine hundred and five dol-
 lars.
 New Braintree, two hundred and twenty-five dollars.
 New Marlborough, three hundred dollars.
 New Salem, one hundred and sixty-five dollars.
 Newbury, six hundred dollars.
 Newburyport, fifty-seven hundred and sixty dollars.
 Newton, twenty-nine thousand seven hundred and seventy-
 five dollars.
 Norfolk, two hundred and eighty-five dollars.
 North Adams, fifty-two hundred and five dollars.
 North Andover, nineteen hundred and twenty dollars.
 North Attleborough, twenty-two hundred and five dollars.
 North Brookfield, eleven hundred and seventy dollars.
 North Reading, two hundred and eighty-five dollars.
 Northampton, sixty-four hundred and ninety-five dollars.
 Northborough, seven hundred and twenty dollars.
 Northbridge, twenty-two hundred and fifty dollars.
 Northfield, five hundred and seventy dollars.
 Norton, four hundred and eighty dollars.
 Norwell, five hundred and seventy dollars.
 Norwood, two thousand and forty dollars.
 Oakham, one hundred and eighty dollars.
 Orange, nineteen hundred and sixty-five dollars.
 Orleans, three hundred and seventy-five dollars.
 Otis, one hundred and twenty dollars.
 Oxford, seven hundred and eighty dollars.
 Palmer, sixteen hundred and twenty dollars.
 Paxton, one hundred and sixty-five dollars.
 Peabody, forty-three hundred and eighty dollars.
 Pelham, one hundred and five dollars.
 Pembroke, three hundred and sixty dollars.
 Pepperell, twelve hundred dollars.
 Peru, sixty dollars.
 Petersham, three hundred and sixty dollars.
 Phillipston, one hundred and fifty dollars.
 Pittsfield, eighty-four hundred and fifteen dollars.
 Plainfield, ninety dollars.
 Plymouth, thirty-nine hundred and forty-five dollars.
 Plympton, one hundred and eighty dollars.
 Prescott, ninety dollars.
 Princeton, four hundred and eighty dollars.
 Provincetown, eleven hundred and forty dollars.
 Quincy, ten thousand and five dollars.

State tax ap-
portioned and
assessed.

Randolph, twelve hundred and sixty dollars.
Raynham, four hundred and eighty dollars.
Reading, twenty-two hundred and eighty dollars.
Rehoboth, four hundred and five dollars.
Revere, forty-nine hundred and thirty-five dollars.
Richmond, one hundred and eighty dollars.
Rochester, two hundred and eighty-five dollars.
Rockland, seventeen hundred and twenty-five dollars.
Rockport, fifteen hundred and forty-five dollars.
Rowe, one hundred and twenty dollars.
Rowley, three hundred and ninety dollars.
Royalston, three hundred dollars.
Russell, two hundred and fifty-five dollars.
Rutland, three hundred and fifteen dollars.
Salem, sixteen thousand and five dollars.
Salisbury, three hundred and seventy-five dollars.
Sandisfield, one hundred and ninety-five dollars.
Sandwich, five hundred and forty dollars.
Saugus, eighteen hundred and thirty dollars.
Savoy, ninety dollars.
Scituate, thirteen hundred and five dollars.
Seekonk, four hundred and ninety-five dollars.
Sharon, ten hundred and five dollars.
Sheffield, four hundred and ninety-five dollars.
Shelburne, five hundred and ten dollars.
Sherborn, four hundred and thirty-five dollars.
Shirley, four hundred and thirty-five dollars.
Shrewsbury, five hundred and eighty-five dollars.
Shutesbury, ninety dollars.
Somerset, six hundred and fifteen dollars.
Somerville, twenty-seven thousand and seventy-five dollars.
South Hadley, thirteen hundred and twenty dollars.
Southampton, two hundred and seventy dollars.
Southborough, nine hundred and ninety dollars.
Southbridge, twenty-three hundred and eighty-five dollars.
Southwick, three hundred dollars.
Spencer, twenty-three hundred and twenty-five dollars.
Springfield, thirty-seven thousand and sixty-five dollars.
Sterling, four hundred and eighty dollars.
Stockbridge, eighteen hundred and thirty dollars.
Stoneham, twenty-six hundred and seventy dollars.
Stoughton, seventeen hundred and ten dollars.
Stow, three hundred and seventy-five dollars.
Sturbridge, five hundred and ten dollars.
Sudbury, six hundred and thirty dollars.
Sunderland, two hundred and forty dollars.
Sutton, seven hundred and thirty-five dollars.
Swampscott, thirty-one hundred and eighty dollars.
Swansea, five hundred and fifty-five dollars.

State tax ap-
portioned and
assessed.

Taunton, eleven thousand seven hundred and forty-five dollars.
 Templeton, eight hundred and ten dollars.
 Tewksbury, eight hundred and eighty-five dollars.
 Tisbury, five hundred and ten dollars.
 Tolland, seventy-five dollars.
 Topsfield, four hundred and thirty-five dollars.
 Townsend, six hundred and forty-five dollars.
 Truro, one hundred and ninety-five dollars.
 Tyngsborough, two hundred and twenty-five dollars.
 Tyringham, one hundred and twenty dollars.
 Upton, six hundred dollars.
 Uxbridge, twelve hundred and seventy-five dollars.
 Wakefield, thirty-nine hundred and sixty dollars.
 Wales, one hundred and sixty-five dollars.
 Walpole, thirteen hundred and five dollars.
 Waltham, ten thousand three hundred and twenty dollars.
 Ware, twenty-four hundred and thirty dollars.
 Wareham, twelve hundred and forty-five dollars.
 Warren, thirteen hundred and eighty dollars.
 Warwick, one hundred and ninety-five dollars.
 Washington, one hundred and twenty dollars.
 Watertown, fifty-two hundred and ninety-five dollars.
 Wayland, nine hundred dollars.
 Webster, twenty-two hundred and thirty-five dollars.
 Wellesley, four thousand and ninety-five dollars.
 Wellfleet, four hundred and twenty dollars.
 Wendell, one hundred and thirty-five dollars.
 Wenham, four hundred and thirty-five dollars.
 West Boylston, seven hundred and five dollars.
 West Bridgewater, five hundred and seventy dollars.
 West Brookfield, four hundred and fifty dollars.
 West Newbury, five hundred and ten dollars.
 West Springfield, twenty-six hundred and fifty-five dollars.
 West Stockbridge, two hundred and seventy dollars.
 West Tisbury, two hundred and twenty-five dollars.
 Westborough, sixteen hundred and sixty-five dollars.
 Westfield, forty-five hundred and ninety dollars.
 Westford, seven hundred and ninety-five dollars.
 Westhampton, one hundred and thirty-five dollars.
 Westminster, four hundred and five dollars.
 Weston, twenty-one hundred and sixty dollars.
 Westport, nine hundred and fifteen dollars.
 Westwood, five hundred and seventy dollars.
 Weymouth, thirty-nine hundred and fifteen dollars.
 Whately, two hundred and seventy dollars.
 Whitman, two thousand and seventy dollars.
 Wilbraham, four hundred and fifty dollars.
 Williamsburg, five hundred and ten dollars.
 Williamstown, fifteen hundred and thirty dollars.

Wilmington, five hundred and fifty-five dollars.
 Winchendon, thirteen hundred and ninety-five dollars.
 Winchester, four thousand and ninety-five dollars.
 Windsor, one hundred and five dollars.
 Winthrop, thirty-one hundred and thirty-five dollars.
 Woburn, fifty-seven hundred dollars.
 Worcester, fifty-six thousand five hundred and five dollars.
 Worthington, one hundred and eighty dollars.
 Wrentham, eight hundred and forty dollars.
 Yarmouth, nine hundred and sixty dollars.

SECTION 2. The treasurer of the Commonwealth shall forthwith send his warrant, directed to the selectmen or assessors of each city or town taxed as aforesaid, requiring them respectively to assess the sum so charged, according to the provisions of chapter eleven of the Public Statutes, and to add the amount of such tax to the amount of town and county taxes to be assessed by them respectively on each city and town. Treasurer to
issue warrant.

SECTION 3. The treasurer of the Commonwealth in his warrant shall require the said selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities or towns to pay, to the treasurer of the Commonwealth, on or before the tenth day of December in the year nineteen hundred, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors respectively shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the treasurer of the Commonwealth at some time before the first day of October in the year nineteen hundred. Payment of
assessments.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer of the Commonwealth within the time specified, then the said treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the Commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during such delinquency from and after the tenth day of December in the year nineteen hundred; and if the same remains unpaid after the first day of January in the year nineteen hundred and one, an information may be filed by the treasurer of the Commonwealth in the supreme judicial court, or before any justice thereof, against such delinquent city or town; Notice to treasurers of delinquent cities and towns.

State tax ap-
portioned and
assessed.

Taunton, eleven thousand seven hundred
Templeton, eight hundred and ten
Tewksbury, eight hundred and eight
Tisbury, five hundred and ten dollars
Tolland, seventy-five dollars.
Topsfield, four hundred and
Townsend, six hundred and
Truro, one hundred and
Tyngsborough, two hundred
Tyringham, one hundred
Upton, six hundred
Uxbridge, twelve hundred
Wakefield, thirty
Wales, one hundred
Walpole, thirty
Waltham, ten
Ware, two
Wareham
Warren.
Warwick
Wash
W

nary
against
taxes
thereof

passage.
1, 1900.

IR OF STATE
MISSION.

highway commission
a sum not exceeding five
for the construction and repair
this sum one hundred thousand
for expenses incurred after the
year in the year nineteen hundred and one.
For the purpose of meeting the expenditure
the treasurer and receiver general is
authorized, with the approval of the governor and
to issue scrip or certificates of indebtedness to an
amount not exceeding five hundred thousand dollars, for
not exceeding thirty years. Such scrip or certi-
ficates of indebtedness shall be issued as registered bonds
with interest coupons attached, and shall bear interest
not exceeding four per cent per annum, payable semi-
annually. They shall be designated on their face as the
Highway Loan, shall be countersigned by the gover-
nor, and shall be deemed a pledge of the faith and credit
of the Commonwealth; and the principal and interest
thereof shall be paid at the times specified therein in gold
coin of the United States or its equivalent. They shall
be sold at public auction, or disposed of in such other
manner, at such times and prices, in such amounts and
at such rates of interest, not exceeding the rate above
specified, as shall be deemed best. The sinking fund
established by chapter four hundred and ninety-seven of
the acts of the year eighteen hundred and ninety-four shall
also be maintained for the purpose of providing for the
payment of the bonds issued under authority of this act,
and the treasurer and receiver general shall apportion
thereto from year to year an amount sufficient with the
accumulations of said fund to extinguish at maturity the
debt incurred by the issue of said bonds. The amount

The annual sinking fund requirements
on said bonds shall be raised by
or.

shall take effect upon its passage.

Approved July 10, 1900.

TAN PARK COMMISSION TO
ET RIVER BETWEEN BLUE
ND MATTAPAN SQUARE

Chap. 443

Metropolitan park commission, for
ecting the boulevard known as Blue
Blue Hill avenue in that part of Boston
Mattapan, and of acquiring and reconstructing
ent Mattapan bridge over the Neponset river, and
aining the new bridge, is hereby further authorized
to the full extent of the Commonwealth's power of eminent
domain and in addition to all other provisions of law it
enabling, to take and acquire in the name and for the
benefit of the Commonwealth by the exercise hereunder
of any of the powers conferred by chapter four hundred
and seven of the acts of the year eighteen hundred and
ninety-three, by chapter two hundred and eighty-eight of
the acts of the year eighteen hundred and ninety-four, and
by acts in addition to and in amendment of said acts, all
the right, title and interest of the public or of any corpora-
tion or individual in, to or concerning land or rights in
land, including so much as it may deem necessary of the
bed and waters of the Neponset river and of the location
of the railroad company near by, known as the Old Colony
Railroad Company, leased to the New York, New Haven
and Hartford Railroad Company, or however else it may
be designated, and the present bridge and rights therein
between said Blue Hills parkway, within the town of
Milton, and said Blue Hill avenue in the city of Boston:
provided, however, that said board shall not interfere with
the operation of said railroad company during a period of
six months from the time of the taking or the acquisition
of any part thereof.

Certain land,
etc., may be
taken for con-
necting Blue
Hills parkway
with Blue Hill
avenue, etc.

Proviso.

SECTION 2. Said board may remove the present bridges
and other structures over said river or any branch thereof
between the part of said parkway already constructed and
said avenue, and may build and maintain in place thereof

New bridges
may be built,
etc.

and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as said court or the justice thereof before whom the hearing is had shall order.

SECTION 5. This act shall take effect upon its passage.

Approved July 10, 1900.

Chap. 442 AN ACT RELATIVE TO THE CONSTRUCTION AND REPAIR OF STATE HIGHWAYS BY THE MASSACHUSETTS HIGHWAY COMMISSION.

Be it enacted, etc., as follows:

Construction
and repair of
state highways.

SECTION 1. The Massachusetts highway commission is hereby authorized to expend a sum not exceeding five hundred thousand dollars for the construction and repair of state highways. Of this sum one hundred thousand dollars shall be reserved for expenses incurred after the first day of January in the year nineteen hundred and one.

State Highway
Loan.

SECTION 2. For the purpose of meeting the expenditure hereby authorized the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding five hundred thousand dollars, for a term not exceeding thirty years. Such scrip or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face as the State Highway Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth; and the principal and interest thereof shall be paid at the times specified therein in gold coin of the United States or its equivalent. They shall be sold at public auction, or disposed of in such other manner, at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall be deemed best. The sinking fund established by chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four shall also be maintained for the purpose of providing for the payment of the bonds issued under authority of this act, and the treasurer and receiver general shall apportion thereto from year to year an amount sufficient with the accumulations of said fund to extinguish at maturity the debt incurred by the issue of said bonds. The amount

Sinking fund.

necessary to meet the annual sinking fund requirements and to pay the interest on said bonds shall be raised by taxation from year to year.

SECTION 3. This act shall take effect upon its passage.

Approved July 10, 1900.

AN ACT TO REQUIRE THE METROPOLITAN PARK COMMISSION TO REBUILD THE BRIDGE OVER THE NEPONSET RIVER BETWEEN BLUE HILLS PARKWAY IN THE TOWN OF MILTON AND MATTAPAN SQUARE IN THE CITY OF BOSTON.

Chap. 443

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission, for the purpose of connecting the boulevard known as Blue Hills parkway with Blue Hill avenue in that part of Boston known as Mattapan, and of acquiring and reconstructing the present Mattapan bridge over the Neponset river, and maintaining the new bridge, is hereby further authorized to the full extent of the Commonwealth's power of eminent domain and in addition to all other provisions of law it enabling, to take and acquire in the name and for the benefit of the Commonwealth by the exercise hereunder of any of the powers conferred by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, by chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four, and by acts in addition to and in amendment of said acts, all the right, title and interest of the public or of any corporation or individual in, to or concerning land or rights in land, including so much as it may deem necessary of the bed and waters of the Neponset river and of the location of the railroad company near by, known as the Old Colony Railroad Company, leased to the New York, New Haven and Hartford Railroad Company, or however else it may be designated, and the present bridge and rights therein between said Blue Hills parkway, within the town of Milton, and said Blue Hill avenue in the city of Boston: *provided, however*, that said board shall not interfere with the operation of said railroad company during a period of six months from the time of the taking or the acquisition of any part thereof.

Certain land, etc., may be taken for connecting Blue Hills parkway with Blue Hill avenue, etc.

Proviso.

SECTION 2. Said board may remove the present bridges and other structures over said river or any branch thereof between the part of said parkway already constructed and said avenue, and may build and maintain in place thereof

New bridges may be built, etc.

as a part of said parkway such suitable bridges or other structures as it may deem best, and may keep the same in repair and establish such reasonable rules and regulations for the use thereof as it may from time to time deem necessary.

Railroad companies may acquire new locations, etc., in certain cases, etc.

SECTION 3. If any part of the present location and property of any railroad company is taken hereunder said railroad company, for the purpose of carrying out the purposes of this act and all acts in amendment thereof and in addition thereto, is hereby authorized, in accordance with the provisions of chapter one hundred and twelve of the Public Statutes and of all other general laws relating to the fixing of the route of railroads, to the laying out of the same, and to the taking of lands and payment of damages therefor, to take and acquire a new location and necessary land and rights in land within the city of Boston and not a part of the lands taken or acquired by said commission or by the city as an open space, boulevard or public street, and also to construct, maintain and operate a new line of railroad in place of that taken or acquired as aforesaid.

Railroad companies to be compensated for damages, etc.

SECTION 4. The Commonwealth shall compensate such railroad company for all damages sustained and expenses incurred by it by reason of any acts done under authority of this act, the same to be determined by agreement between said company and said board, and in case of disagreement, then to be determined by a commission of three disinterested persons to be appointed by the justices of the supreme judicial court or by a jury in the superior court for the county of Suffolk, and in either case upon petition of any interested party.

Assessment of betterments.

SECTION 5. Said park commission shall have the same power to determine the value of and to assess upon real estate the amount of betterments accruing to said real estate by reason of any taking by it hereunder which is conferred upon it in regard to takings under the acts aforesaid.

Treasurer and receiver general to issue scrip or bonds, etc.

SECTION 6. To meet expenses incurred under the authority of this act the treasurer and receiver general shall issue scrip or certificates of indebtedness or bonds, to the amount of seventy-five thousand dollars in addition to the Metropolitan Parks Loan, Series Two. The sinking fund already established by law shall also be maintained for the purpose of extinguishing scrip, certificates or bonds issued under the authority of this act. Any premium

realized on the sale of such scrip or certificates or bonds shall be applied to the payment of the interest on the loan hereby authorized as it accrues. Said scrip or certificates of indebtedness or bonds shall be issued and said sinking fund assessed and collected in accordance with the provisions of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four and of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-nine.

SECTION 7. This act shall take effect upon its passage.

Approved July 10, 1900.

AN ACT TO ENABLE THE METROPOLITAN PARK COMMISSION TO ACQUIRE LAND IN WINCHESTER, IN CONJUNCTION WITH THAT TOWN, AND TO LAY OUT AND GRADE LAND PREVIOUSLY CONTRIBUTED BY THAT TOWN AND ITS CITIZENS.

Chap. 444

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission, for the purpose of acquiring land in the town of Winchester near and along Abbajona river near Mystic valley parkway, under chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, and acts in addition to and in amendment thereof, and for the purpose of laying out the same and other lands along said parkway which were contributed to the Commonwealth through said commission by said town and its citizens, may expend, in addition to all sums previously appropriated for this purpose, the sum of fifty thousand dollars; and to meet the expenditures incurred under authority of this act the treasurer and receiver general shall issue a corresponding amount of scrip or certificates of indebtedness as an addition to the Metropolitan Parks Loan, Series Two, and shall add an equal amount to the existing sinking fund to provide for the payment of the same. Said scrip or certificates of indebtedness shall be issued and additions to said sinking fund shall be assessed and collected in accordance with the provisions of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four and of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-nine.

Metropolitan park commission may expend a certain sum for the purpose of acquiring, etc., land in Winchester, etc.

Treasurer and receiver general to issue scrip, etc.

SECTION 2. This act shall take effect upon its passage.

Approved July 10, 1900.

Chap. 445 AN ACT TO AUTHORIZE THE COMPLETION OF A PARKWAY IN THE TOWN OF REVERE AND THE CITIES OF CHELSEA AND EVERETT.

Be it enacted, etc., as follows:

Metropolitan park commission may complete certain roadway, etc.

SECTION 1. The metropolitan park commission is hereby authorized to grade and complete the roadway and boulevard within and connecting with the reservation at Crescent beach, through the town of Revere and the cities of Chelsea and Everett, to Broadway in the city of Everett.

Treasurer and receiver general to issue scrip or bonds, etc.

SECTION 2. To meet any expenditures under the authority of this act the treasurer and receiver general shall issue scrip or certificates of indebtedness, or bonds, as an addition to the Metropolitan Parks Loan, Series Two, to an amount not exceeding two hundred thousand dollars. The sinking fund already established by law shall also be maintained for the purpose of extinguishing scrip, certificates or bonds issued under the authority of this act. Any premium realized on the sale of such scrip, certificates or bonds, shall be applied to the payment of the interest on the loan hereby authorized, as it accrues. Said scrip, certificates or bonds, shall be issued, and said sinking fund assessed and collected, in accordance with the provisions of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four and of acts in amendment thereof.

Only citizens of the Commonwealth to be employed on work.

SECTION 3. No persons except citizens of this Commonwealth shall be employed on the work authorized by this act.

SECTION 4. This act shall take effect upon its passage.

Approved July 10, 1900.

Chap. 446 AN ACT TO EXTEND THE TIME FOR GIVING NOTICES UNDER THE EMPLOYERS' LIABILITY ACT.

Be it enacted, etc., as follows:

1887, 270, § 3, etc., amended.

Section three of chapter two hundred and seventy of the acts of the year eighteen hundred and eighty-seven, as amended by chapter one hundred and fifty-five of the acts of the year eighteen hundred and eighty-eight, and by section two of chapter two hundred and sixty of the acts of the year eighteen hundred and ninety-two, is hereby further amended by striking out the word "thirty", in the sixteenth and twenty-seventh lines, and inserting in each

instance in place thereof the word:—sixty,—so as to read as follows:—*Section 3.* Except in actions brought by the personal representatives under section one of this act to recover damages for both the injury and death of an employee, the amount of compensation receivable under this act in cases of personal injury shall not exceed the sum of four thousand dollars. In case of death which follows instantaneously or without conscious suffering, compensation in lieu thereof may be recovered in not less than five hundred and not more than five thousand dollars, to be assessed with reference to the degree of culpability of the employer herein, or the person for whose negligence he is made liable; and no action for the recovery of compensation for injury or death under this act shall be maintained, unless notice of the time, place and cause of the injury is given to the employer within sixty days, and the action is commenced within one year, from the occurrence of the accident causing the injury or death. The notice required by this section shall be in writing, signed by the person injured or by some one in his behalf; but if from physical or mental incapacity it is impossible for the person injured to give the notice within the time provided in said section, he may give the same within ten days after such incapacity is removed, and in case of his death without having given the notice and without having been for ten days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give such notice within sixty days after his appointment. But no notice given under the provisions of this section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating the time, place or cause of the injury: *provided*, it is shown that there was no intention to mislead, and that the party entitled to notice was not in fact misled thereby.

Amount of compensation receivable in certain cases, etc.

Notice of time, place and cause of injury to be given to employer, etc.

Proviso.

Approved July 10, 1900.

AN ACT RELATIVE TO ACTIONS IN POLICE, DISTRICT AND MUNICIPAL COURTS. *Chap. 447*

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and thirteen of chapter one hundred and sixty-one of the Public Statutes is hereby amended by inserting after the word “shall”, in the first line, the words:—in all courts in which a trial by jury is allowed,—so as to read as follows:—*Section*

P. S. 161, § 113, amended.

Prior attachment may be dissolved in certain cases.

113. The court upon the hearing of the petition shall, in all courts in which a trial by jury is allowed, on the motion of either party direct a trial by jury of any question of fact arising in the inquiry, and if it appears to the court that a part of the sum demanded in the prior suit is not justly due, or was not payable when the action was commenced, it shall order the attachment therein made to be dissolved in whole or in part as justice requires; but such order shall have no other effect on the prior suit.

P. S. 161, §§ 110 to 119, to apply to certain actions.

SECTION 2. Sections one hundred and ten to one hundred and nineteen inclusive of chapter one hundred and sixty-one of the Public Statutes shall apply to actions commenced before police, district and municipal courts, but not to actions commenced before a trial justice.

Repeal.

SECTION 3. Section one hundred and twenty of chapter one hundred and sixty-one of the Public Statutes is hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved July 10, 1900.

Chap.448

AN ACT TO REGULATE THE SALE OF ICE.

Be it enacted, etc., as follows:

Sale of ice regulated.

Any person, firm or corporation, or agent thereof, engaged in the business of selling ice at retail in this Commonwealth who shall refuse to sell, from any place or vehicle engaged in the regular distribution of ice at retail, a piece of ice at the fair value thereof to any person, other than an ice dealer, tendering in payment therefor in legal money of the United States a sum of five cents or any multiple thereof not exceeding fifty cents, shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars.

Approved July 10, 1900.

Chap.449

AN ACT RELATIVE TO THE PROBATION SERVICE.

Be it enacted, etc., as follows:

Sentence may first be imposed upon persons placed on probation.

SECTION 1. When a person is placed on probation by any municipal, police or district court, under the provisions of chapter three hundred and fifty-six of the acts of the year eighteen hundred and ninety-one, and of any acts in amendment thereof, sentence may first be imposed upon him. The court may direct that the execution of the sentence be suspended for such time and on such terms and conditions as it shall fix, and may place such person

Execution of sentence may be suspended, etc.

on probation in the custody of the probation officer of said court, during such suspension. If the sentence is to pay a fine and to stand committed until the same is paid the fine may be paid to said probation officer at any time during the period of probation, whereupon the order of commitment shall be void. Said officer shall give a receipt for every fine so paid, shall keep a record of the same, shall pay the fine to the clerk of the court at its next session, and shall keep on file the clerk's receipt therefor.

SECTION 2. At any time prior to the final disposition of the case of any person placed on probation in the custody of a probation officer said officer may arrest him without a warrant or other process and bring him before the court, or the court may issue a warrant directing that he be arrested and brought before it. When such person is brought before such police, municipal or district court the court may revoke the suspension of the execution of his sentence, whereupon his sentence shall be in full force and effect, or the court may continue the suspension.

Persons placed on probation may be arrested in certain cases.

SECTION 3. The probation officers of such municipal, police and district courts as the commissioners of prisons from time to time shall designate shall give to said commissioners such information as they shall request regarding their work, and shall report to said commissioners, on blanks or forms furnished by them, such facts as they shall ask for regarding all cases brought before said courts and investigated by said officers, and regarding all cases of persons placed upon probation in their custody. Said commissioners shall keep a record of all cases reported to them, in the form most convenient for reference.

Probation officers to give information to commissioners of prisons upon request, etc.

SECTION 4. When in the opinion of any such probation officer any person arrested within the jurisdiction of his court resides within the jurisdiction of another court he shall at once apply to said commissioners for information regarding such person; and said commissioners shall at once give the inquiring probation officer all information they may have or can obtain through other probation officers or police officials. They shall send to the probation officer of the court within the jurisdiction of which such person resides such information as they may receive regarding the disposition of such case. It shall be the duty of the police of the several cities and towns to co-operate with said probation officers, and with said commissioners, in obtaining information, and said probation officers shall

Probation officers to apply to commissioners of prisons for information regarding certain persons, etc.

Police to assist in obtaining information, etc.

assist each other and said commissioners in their several duties. Said commissioners shall give to the board of police for the city of Boston, and to all chiefs of police and city marshals, all information the commissioners may have in any case regarding which said police officials shall inquire.

Commissioners of prisons to confer with justices, etc., for the purpose of improving probation service, etc.

SECTION 5. It shall be the duty of said commissioners, from time to time, to confer with the justices of the several courts for the purpose of securing an improvement of the probation service, greater uniformity in the administration of the duties of probation officers, and a better co-ordination of their work. They shall also confer with the probation officers of said courts, and shall give said officers such assistance as will promote the best interests of the service.

Conference of probation officers may be held, etc.

SECTION 6. Whenever in the opinion of said commissioners a conference of any or all of the probation officers and assistant probation officers will secure their better co-operation with each other and will promote the efficiency of their work, said commissioners shall cause such conference to be held, and one of said commissioners shall preside over the same. The reasonable travelling expenses of said officers in attending such conferences shall be paid as their other expenses are paid.

Commissioners of prisons to report to the governor annually.

SECTION 7. During the month of November of each year said commissioners shall make a report to the governor on the operation of the probation system and its results, together with recommendations for the improvement of the service.

Additional office accommodations to be furnished, etc.

SECTION 8. Said commissioners shall be furnished with such additional office accommodations as they shall need; shall be provided with all necessary facilities for carrying on the work required of them by this act, and may employ such assistance as the governor and council from time to time shall authorize.

When to take effect.

SECTION 9. This act shall take effect on the first day of October of the current year. *Approved July 10, 1900.*

Chap. 450 AN ACT TO REVISE THE LAWS CONCERNING THE DISTRIBUTION OF ESTATES OF DECEASED PERSONS AND THE RIGHTS OF SURVIVING WIDOWS AND HUSBANDS THEREIN.

Be it enacted, etc., as follows :

Articles of apparel etc., of widow and minor children.

SECTION 1. The articles of apparel and the ornaments of the widow and minor children of a deceased person shall belong to them respectively.

SECTION 2. Such parts of the estate of a deceased person as the probate court, having regard to all the circumstances of the case, may allow as necessities to his widow for herself and for his family under her care, or if there is no widow to his minor children, not exceeding one hundred dollars to any child, and also such provisions and other articles as are necessary for the reasonable sustenance of his family, and the use of his house and of the furniture therein for six months after his death, shall not be taken as assets for the payment of debts, legacies or charges of administration. After exhausting the personal estate real estate may be sold to provide the amount of allowance decreed, in the same manner in which it is sold for the payment of debts: *provided, however*, that no such sale shall be authorized after the expiration of two years from the time of the approval of the bond of the executor or administrator of the deceased.

Allowance of necessities to widow and children.

Proviso.

SECTION 3. When a person dies possessed of personal estate not lawfully disposed of by will it shall be applied and distributed as follows: —

Distribution of personal property of intestates.

First. The personal estate remaining after the allowance to the widow and children mentioned in sections one and two shall be applied to the payment of the debts of the deceased, the charges of his funeral and the settlement of his estate.

Second. The residue shall be distributed among the persons and in the proportions prescribed for the descent of real estate in chapter one hundred and twenty-five of the Public Statutes and acts in amendment thereof, except as otherwise provided herein.

Third. If there is no husband, widow or kindred of the deceased, the whole of the residue shall escheat to the Commonwealth.

SECTION 4. Of the remaining personal estate and real estate of the deceased not lawfully disposed of by will, the surviving husband or widow shall take and hold one third if the deceased leaves issue; five thousand dollars and one half of the remaining estate if the deceased leaves no issue; and the whole if the deceased leaves no kindred. In case the personal estate is insufficient to pay the said sum of five thousand dollars the balance shall be paid from the sale or mortgage, in the manner provided for the payment of debts or legacies, of any interest of the deceased in real estate which he could have conveyed at the time of his death.

Distribution of remaining personal and real estate of intestates.

Rights of husband or wife in real estate of deceased person.

SECTION 5. When a man and his wife are seized in her right, and when a married woman is seized to her sole and separate use of an estate of inheritance in lands, the husband shall, on the death of the wife, hold one third of the lands for his life, which estate shall be known as his tenancy thereof by the curtesy; a wife shall be entitled to her dower at common law in the lands of her deceased husband; but to be entitled thereto the surviving husband or widow shall file his or her election and claim therefor in the registry of probate within one year from the date of the approval of the bond of the executor or administrator of the deceased, and shall thereupon hold, instead of the interest in real estate given in section four of this act, curtesy in whole or in part, as provided herein, or dower; otherwise either estate shall be deemed to be waived.

Assignment of curtesy.

Curtesy may be assigned in the same manner in which dower is now assigned in the probate court; and until assignment the tenant of each estate shall be entitled to the possession and profits of one undivided third of the real estate of the deceased from his death, and to all remedies for the same which his heirs have in the remaining estate.

Holding, etc., of vested rights of curtesy.

Vested rights of curtesy at the time this act takes effect may be held and claimed in the manner above provided; but in that case the husband shall take no other interest in any part of the real or personal estate of his wife.

Time within which husband or widow may claim interest in real estate of deceased person limited.

SECTION 6. No surviving husband or widow of a deceased person shall be entitled to make claim for an interest in the real estate of such deceased, or to begin an action or other proceeding for the recovery thereof, unless such claim or action is made or begun within twenty years after the death of said deceased, or after he has ceased to occupy or receive the profits of his share of such real estate; except that if at the time of such death he is absent from the Commonwealth, under twenty-one years of age, insane or imprisoned, he may make such claim or begin such action or proceeding at any time within twenty years after such disability ceases.

Husband or widow of testator may claim portion of estate as if deceased had died intestate, etc.

SECTION 7. A married woman or a married man may make a will. The surviving husband or widow of a deceased person, at any time within one year after the probate of the will of such deceased, may file in the registry of probate a writing signed by him, waiving any provisions

that may have been made in it for him, or claiming such portion of the estate of the deceased as he would have been entitled to if the deceased had died intestate, and he shall thereupon be entitled to the same portion of the estate of the deceased, real and personal, that he would have been entitled to if the deceased had died intestate; except that if he would thus become entitled to real and personal estate to an amount exceeding ten thousand dollars in value, he shall receive in addition to that amount only the income during his life of the excess of his share of such estate above that amount, the personal estate to be held in trust and the real estate vested in him for life, from the death of the deceased; and except that if the deceased leave no kindred, he upon such waiver shall take the interest he would have taken if the deceased had died leaving kindred but no issue. The amount not exceeding ten thousand dollars above given absolutely shall be paid out of that part of the personal estate in which the husband or widow is interested; and in case it is insufficient the remainder shall be paid from the sale or mortgage in fee, in the manner provided for the payment of debts or legacies, of that part of the real estate in which he is interested, to be made either before or after it is set off for his life from the other real estate of the deceased.

When, after probate of such will, legal proceedings are instituted wherein its validity or effect is drawn in question, the probate court may, within said one year, on his petition and after such notice as it may order, extend the time for filing the aforesaid claim and waiver until the expiration of six months from the termination of such legal proceedings.

Time for filing claim may be extended in certain cases.

SECTION 8. The probate court may upon application of any person interested appoint one or more trustees to hold during the life of a husband or widow any personal estate to the income of which he may be entitled under the preceding section, and a trustee so appointed shall be appointed subject to the provisions, so far as they may be applicable, of chapter one hundred and forty-one of the Public Statutes, and of all amendments thereof.

Probate court may appoint trustees upon application.

SECTION 9. A husband shall have the same rights in the tomb or burial lot of his wife which a wife now has in that of her husband, and he may assert or release the same in the same manner as she may now assert or release her rights.

Rights in burial lots, etc.

Repeal.

SECTION 10. Chapter one hundred and thirty-five, sections one, three and fourteen of chapter one hundred and twenty-four, sections eighteen and nineteen of chapter one hundred and twenty-seven and section six of chapter one hundred and forty-seven of the Public Statutes, and all acts in amendment of them, and so much of any other act as is inconsistent herewith, are hereby repealed : *provided*, that this act shall in no way affect the estates of persons deceased before it takes effect. All acts and parts of acts referring to or dependent upon acts or parts of acts repealed hereby shall be construed to refer to or depend upon the provisions of this act so far as the same may be applicable thereto.

1899, 479, repealed.

SECTION 11. Chapter four hundred and seventy-nine of the acts of the year eighteen hundred and ninety-nine is hereby repealed.

When to take effect.

SECTION 12. Section eleven of this act shall take effect upon its passage, and the remainder of this act shall take effect on the first day of July in the year nineteen hundred and one.

Approved July 10, 1900.

Chap. 451

AN ACT TO PROVIDE FOR THE CARE OF THE INSANE BY THE STATE BOARD OF INSANITY AND TO ESTABLISH THE STATE COLONY FOR THE INSANE.

Be it enacted, etc., as follows :

Commonwealth to have care, control, etc., of certain insane persons from and after January 1, 1904.

SECTION 1. The Commonwealth, from and after the first day of January in the year nineteen hundred and four, shall, by the officers and boards authorized thereto, have the care, control and treatment of all insane persons who are now cared for by the Commonwealth, or by any city or town, or by any board of officers thereof, or who may be committed to the institutions of the Commonwealth established by law for the care of the insane; and no city or town shall hereafter establish any asylum or other institution for the care of the insane, nor after said date maintain any such institution or be liable for the board, care, treatment or act of any insane person. As soon as practicable after the first day of January in the year nineteen hundred and four the state board of insanity may transfer all insane persons who are cared for by the Commonwealth or by any city or town or by any board of officers thereof, and who are not cared for in any hospital, asylum or receptacle maintained by the Commonwealth,

to such hospital, asylum or receptacle so maintained, as the said board of insanity may deem expedient; but nothing contained in this act shall be held to prevent the state board of insanity from placing insane persons at board in accordance with the provisions of law.

SECTION 2. The hospitals now or hereafter established and maintained by the city of Boston for the board, care and treatment of the insane, and all insane persons who have a settlement in said city, shall be excepted from the operation of this act and shall be and remain under the operation of the existing acts relating to insane persons; and the bills for the board, care and treatment of patients in said hospitals, from and after said first day of January, at the rate of three dollars and twenty-five cents per week, or as hereafter fixed by the legislature, shall be paid by the Commonwealth, except the bills of patients who, or whose kindred bound by law to support such patients, are of sufficient ability to pay for such board, care and treatment as determined by the board having charge of said hospitals.

Certain hospitals, etc., excepted from operation of act, etc.

SECTION 3. The state board of insanity is hereby authorized, with the approval of the governor and council, in the name and behalf of the Commonwealth, to take, by purchase or otherwise, a tract of farming or other land, suitable in its judgment for the establishment of a receptacle for the care, custody and control of the insane. Said tract shall consist of not less than fifteen hundred nor more than twenty-five hundred acres, and may include buildings or other chattels thereon. In the event of the taking of said lands and buildings by the said board the board shall file in the registry of deeds for the county and district within which the said lands and buildings are situated, a description of the lands and buildings so taken, with a statement, signed by said board or a majority thereof, that the same are taken under the provisions of this act in the name and behalf of the Commonwealth; and the act and time of filing thereof shall be deemed to be the act and time of the taking of such lands and buildings, and shall be a sufficient notice to all persons that the same have been so taken. The title to all the lands and buildings so taken shall vest absolutely in the Commonwealth and its assigns forever. The Commonwealth shall be liable to pay all damages sustained by the owners of such lands or buildings by reason of the taking thereof. Said state board shall have full power,

Land may be taken for establishment of a receptacle for care, custody, etc., of insane.

Description of lands, etc., to be recorded.

Title to lands, etc., to vest in Commonwealth. Damages, etc.

subject to the approval of the governor and council, to settle by agreement or arbitration the value of the lands and buildings taken as aforesaid; and if not so settled the value shall be assessed by a jury at the bar of the superior court for the county in which the lands and buildings are situated, upon petition, to be filed in the office of the clerk of said court by the persons owning said lands and buildings, within one year after such taking and not afterward.

Trustees, appointment, powers, duties, etc.

SECTION 4. When the state board of insanity shall have acquired for the Commonwealth the tract of land authorized by the third section of this act to be purchased or taken as a receptacle for the insane, the governor, with the advice and consent of the council, shall appoint a board of seven trustees, two of whom may be women, in which board shall be vested the government and management of such receptacle, with the same powers and duties as are prescribed in chapter eighty-seven of the Public Statutes and all acts in amendment thereof; and the provisions of said chapter and of any such acts in amendment thereof, so far as the same are applicable, shall apply to the management of said receptacle.

Trustees of State Colony for the Insane to be a corporation for certain purposes.

SECTION 5. The receptacle for the insane established by this act shall be known as the State Colony for the Insane; and the trustees thereof shall be a corporation, for the purpose of taking and holding by them and their successors in trust for the Commonwealth any grant or devise of land, or any gift or bequest of money, or other personal property, made for the use of the institution of which they are trustees, and for the purpose of preserving and investing the same or the proceeds thereof in notes or bonds secured by sufficient mortgages or other securities, with all the powers necessary to carry said purposes into effect; and they shall have authority to expend any gift or bequest, or any part thereof, in the erection of new buildings on the land belonging to said colony: *provided*, that all such buildings shall belong to the colony and be managed as a part thereof.

Proviso.

Trustees, terms of office, duties, etc.

SECTION 6. The trustees shall be removable only for sufficient cause, and their term of office shall be for five years; but of those first appointed one member shall hold office for five years, two for four years, one for three years, two for two years and one for one year, from the first Wednesday in February following the acquisition by

the Commonwealth of the tract for the state colony for the insane. Said trustees shall upon their appointment proceed to obtain plans and to construct such buildings as may be required for the establishment of a farming colony for the insane; and shall appoint a superintendent, who shall be a physician, and such other officers and assistants as may be required. They shall submit all plans for buildings to the state board of insanity, as provided by section ten of chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-eight; and the state board of insanity shall exercise the supervision over the colony established by this act provided for by section nine of said chapter four hundred and thirty-three; and all the provisions of said chapter that may be applicable are hereby extended to said colony.

Plans for buildings to be submitted to state board of insanity, etc.

SECTION 7. To meet the expenses to be incurred under the provisions of this act the state board of insanity may expend a sum not exceeding twenty-five thousand dollars in acquiring the land, buildings and chattels provided for in section three of this act; and a sum not exceeding fifty thousand dollars may be expended under the direction of the trustees provided for in section four of this act, for repairs of such buildings as may be acquired under section three of this act, and for the construction of new buildings and for the care and maintenance of the colony for the insane.

Payment of expenses.

SECTION 8. As soon as the colony provided for by this act is ready for the reception of patients the trustees shall give notice to the governor, who shall make proclamation that, upon a given day, the said colony will be opened for the reception of patients; and thereafter the state board of insanity shall, in its discretion, transfer from the state insane hospitals and asylums, and from the state hospital, to said colony, such of the chronic insane as are in its judgment the most suitable to be so transferred; and after the first day of January in the year nineteen hundred and four the said board may transfer and remove to such state hospitals, state asylums, state hospital, the hospital for epileptics, or the colony for the insane, as it may deem proper, all of the insane in any almshouse or other receptacle not maintained or controlled by the Commonwealth; and the state board of insanity shall have power, in its discretion, to transfer insane patients to and from the state colony for the insane and the other hospitals, asylums or

When colony shall be open for reception of patients, etc.

receptacles for the insane maintained or controlled by the Commonwealth.

SECTION 9. This act shall take effect upon its passage.

Approved July 11, 1900.

Chap. 452 AN ACT RELATIVE TO REBUILDING BROADWAY BRIDGE AND THE APPROACHES THERETO IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Broadway bridge in city of Boston to be rebuilt, etc.

SECTION 1. The New England Railroad Company shall pay into the treasury of the city of Boston the amount of money which it would have been obliged to pay for raising Broadway bridge, so-called, and the approaches thereto in said city, in the manner recently authorized by the board of aldermen of the city on the petition of said company, and on such payment the city engineer of the city shall rebuild said Broadway bridge and the approaches thereto at grades no lower than those to which the bridge was so authorized to be raised, and according to plans approved by the mayor of the city.

Payment of expenses.

SECTION 2. The city treasurer of the city shall use the money so paid to pay expenses incurred under this act, and from time to time on the request of the mayor shall issue and sell bonds of the city to an amount not exceeding three hundred thousand dollars, and use the proceeds thereof to pay the remainder of such expenses.

Bridge may be made of sufficient strength for elevated trains upon request, etc.

SECTION 3. If the Boston Elevated Railway Company desires to use the bridge for the passage of its elevated trains or cars it shall file with the mayor of the city of Boston a request that the bridge be made of sufficient strength for that purpose, and a written agreement, with such security for its performance as shall be satisfactory to the mayor of the said city, that upon the completion of the work it will pay into the treasury of the city of Boston the amount, as determined by the city engineer, of the additional expense rendered necessary by so rebuilding or subsequently altering or strengthening the bridge as to fit it for such use. If the company disagrees as to the amount of such additional expense so determined it may petition the superior court of Suffolk county for the appointment of commissioners to determine the amount of said additional expense, and thereupon any justice of said court, after such notice as it shall order and a hearing, shall appoint three disinterested persons as such commissioners, and the determination made by them, or by a

In case of disagreement as to amount of additional expense commissioners may be appointed, etc.

majority of them, on being returned into and confirmed by said court shall be final and binding as to the amount of such additional expense. The company shall, upon being notified by the city engineer, or, in the event of an appeal having been taken, by the commissioners, of the amount of such expense, pay the same into the treasury of the city of Boston, and in default thereof said city may recover the same of the company in an action of contract in said court.

SECTION 4. During the rebuilding of said Broadway bridge the city engineer shall provide and maintain a suitable footbridge in lieu of said highway bridge, for the use of the public travelling on said highway, excepting at such times as it would be unsafe for the public to use such footbridge.

Footbridge to be provided during rebuilding of bridge.

SECTION 5. This act shall take effect upon its passage.

Approved July 12, 1900.

AN ACT RELATIVE TO THE ABOLITION OF THE GRADE CROSSINGS OF BLUE HILL AVENUE AND OAKLAND STREET AND THE RAILROAD OF THE NEW ENGLAND RAILROAD COMPANY, IN THE CITY OF BOSTON.

Chap. 453

Be it enacted, etc., as follows:

SECTION 1. The report of the commissioners appointed by the superior court for the county of Suffolk to consider the abolition of the grade crossings of Blue Hill avenue and Oakland street and the road of the New England Railroad Company in the city of Boston, filed in said court on the twenty-fifth day of June of the current year, is hereby confirmed; the New York and New England Railroad Company and the city of Boston shall make the alterations prescribed in said report as therein specified; the Commonwealth and said city and railroad company shall pay the cost of said alterations and of the hearing in the proportions prescribed in said report; and all the provisions of chapter four hundred twenty-eight of the acts of the year eighteen hundred and ninety and all acts in amendment thereof or in addition thereto, not inconsistent with this act, shall apply to and govern the proceedings in connection with the abolition of said crossings, in the same manner as if the decision and report of said commission had been confirmed by the court: *provided, however,* that there shall be filed in the registry of deeds for the county of Suffolk a plan signed by the mayor of said city showing the lands and rights specified in said

Abolition of grade crossings of Blue Hill avenue, Oakland street and the New England railroad.

Provided.

report to be taken; and, to take otherwise than by purchase any such lands or rights, there shall be recorded in said registry of deeds a statement signed by the mayor of said city that the lands and rights specified therein are taken for highway purposes, or for railroad purposes, as the case may be, for the purpose of abolishing said crossings, and the recording of any such statement shall constitute the taking of the lands and rights specified therein.

SECTION 2. This act shall take effect upon its passage.

Approved July 12, 1900.

Chap. 454 AN ACT TO EXEMPT THE BOSTON POLICE RELIEF ASSOCIATION AND THE BANK OFFICERS ASSOCIATION FROM CERTAIN PROVISIONS OF LAW RELATIVE TO FRATERNAL BENEFICIARY CORPORATIONS.

Be it enacted, etc., as follows:

Certain associations exempt from provisions of 1899, 442.

SECTION 1. The Boston Police Relief Association and the Bank Officers Association are hereby exempted from the provisions of chapter four hundred and forty-two of the acts of the year eighteen hundred and ninety-nine, relative to fraternal beneficiary corporations.

SECTION 2. This act shall take effect upon its passage.

Approved July 12, 1900.

Chap. 455 AN ACT RELATIVE TO THE ALTERATION OF CERTAIN RAILROAD CROSSINGS IN THE TOWN OF WESTFIELD.

Be it enacted, etc., as follows:

Commission to be appointed upon petition, etc.

SECTION 1. Upon petition of the selectmen of the town of Westfield therefor the superior court or any justice thereof sitting in equity for the county of Hampden, after such notice as the court shall deem desirable, and a hearing, shall appoint a commission of three disinterested persons to perform the duties imposed and exercise the powers conferred upon them by this act.

Raising of bridge over Elm street, Westfield, alteration in certain tracks, roads, etc.

SECTION 2. The members of said commission shall meet as soon as may be after they receive notice of their appointment, and after due notice and hearing shall prescribe the raising of the bridge over Elm street in the town of Westfield, owned by the New Haven and Northampton Company and leased to the New York, New Haven and Hartford Railroad Company, two feet higher than the present height of said bridge above said street, and shall determine and prescribe the kind and manner of such alterations in the tracks, road, bridges or property of said com-

panies as they shall deem necessary or convenient to be made because of or incident to raising said bridge. The said New York, New Haven and Hartford Railroad Company shall pay sixty-five per cent of the total actual cost of the raising, changes and alterations so prescribed, ordered or decreed, including in such cost the cost of the hearing and the compensation of said commissioners and of the auditor for his services, and all damages, including those mentioned in section nine of this act, and the Commonwealth shall pay twenty-five per cent of such cost, and the said town shall pay ten per cent of said cost. Said commission shall specify the grades for the railroad and the public way or ways and the general method of construction.

Payment of cost, etc.

SECTION 3. Upon petition of the selectmen of the town of Westfield therefor the superior court or any justice thereof sitting in equity for the county of Hampden, after such notice as the court shall deem desirable, and a hearing, shall appoint a commission of three disinterested persons to perform the duties imposed and exercise the powers conferred upon them by the following sections of this act. Nothing in this act contained shall prevent the appointment by said court upon such commission of persons who may have been appointed commissioners under the prior provisions of this act.

Commission to be appointed upon petition, etc.

SECTION 4. The members of said commission shall meet as soon as may be after receiving notice of their appointment, and after due notice and hearing shall prescribe the raising of the bridge of the Boston and Albany Railroad Company over North Elm street in the town of Westfield two feet higher than the present height of said bridge above said street, and shall determine and prescribe the kind and manner of such alteration in the height of Pochassic street bridge, so-called, in said town, and in the approaches thereto, and in the tracks, road, bridges or property of said company as they shall deem necessary to be made because of or incident to raising said bridge of the Boston and Albany Railroad Company.

Alterations in certain bridge tracks, etc.

SECTION 5. The said court and the commission appointed under the provisions of section three of this act shall have power to prescribe, order and decree the raising of the tracks and railroad, the bridge across the Westfield river, and the freight and passenger depots owned by the New Haven and Northampton Company and leased

Alterations in tracks, depots etc., of New Haven and Northampton Company, etc.

to the New York, New Haven and Hartford Railroad Company, and to prescribe, order and decree such other changes or alterations in said railroad, or its location, and the tracks, bridge and depots of said companies as they may deem necessary or advisable to be made because of or incident to raising said North Elm street bridge.

Alterations,
etc., to be made
by New York,
New Haven and
Hartford Rail-
road Company,
etc.

SECTION 6. Any raising, change or alteration of said railroad, tracks, bridge or depots of said New Haven and Northampton Company, leased to said New York, New Haven and Hartford Railroad Company, shall be made by said last named company, according to specifications furnished by said commission, and shall be commenced within such time as the said commission shall order and be prosecuted to completion with reasonable diligence. The expenses incurred in such raising, changes or alteration by said railroad company shall be repaid to it, and shall be a part of the expense of the raising of said North Elm street bridge and be audited and apportioned with the other expenses of such raising as hereinafter provided.

Payment of
cost of raising
North Elm
street bridge,
etc.

SECTION 7. The said Boston and Albany Railroad Company shall pay sixty-five per cent of the total actual cost of the raising, changes and alterations determined, prescribed, ordered or decreed because of or incident to the raising of said North Elm street bridge, including in such cost the cost of the hearing and the compensation of said commissioners and of the auditor for his services, and all damages, including those mentioned in section nine of this act, and the Commonwealth shall pay twenty-five per cent of such cost and the town of Westfield shall pay ten per cent of such cost.

Decisions of
commissions to
be returned into
superior court,
etc.

SECTION 8. Each of said commissions shall forthwith return its decision into the superior court. The decree of the court confirming the decision of the commission shall be final and binding.

Damages.

SECTION 9. All damages sustained by any person in his property by any change in the grade of said Po-chassic street under this act, shall primarily be paid by said town; and in case the parties interested cannot agree upon said damages the town, railroad or other party may have the damages determined by a jury at the bar of the superior court for said Hampden county, on petition brought by any of said parties within one year after the day of the date of the decree of the court confirming the decision of the commission, in the same manner and under

like rules of law as damages may be determined when occasioned by the taking of land for the locating and laying out of railroads and public ways, respectively, in said town.

SECTION 10. The court shall appoint an auditor, who shall be a disinterested person, not a resident of said town, to whom shall from time to time be submitted all accounts of expense, whether incurred by the railroads, town, commissioners or auditor, who shall audit the same and make report thereon to the court; which report, when accepted by the court, shall be final. The compensation of the auditor shall be determined in accordance with the provisions of law relative to the compensation of auditors appointed by the superior court in civil cases. Said court from time to time shall issue its decrees for payments on the part of the railroads, the Commonwealth or said town, not exceeding their respective proportions determined as aforesaid, of the expense as found by the auditor.

Auditor, appointment, etc.

SECTION 11. The superior court or any justice thereof sitting in equity in any county shall have jurisdiction to compel compliance with this act and with the decrees, orders and decisions made thereunder, and may issue and enforce such interlocutory decrees and orders as justice may require, and it shall be the duty of the attorney-general or his assistants to appear and represent the Commonwealth in all proceedings and suits arising under this act. Service of any petition and all notices or proceedings may be made upon the Commonwealth by leaving an attested copy in the hands or in the office of the attorney-general.

Enforcement of decrees, orders, etc.

SECTION 12. This act shall take effect upon its passage.

Approved July 12, 1900.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW BRIDGE OVER THE WEYMOUTH FORE RIVER IN THE CITY OF QUINCY AND THE TOWN OF WEYMOUTH.

Chap. 456

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized and directed, within two years from the first day of January in the year nineteen hundred and one, subject to the provisions of chapter nineteen of the Public Statutes, of all amendments thereof, and of all other general laws which may be applicable, to construct a new bridge with suitable approaches substan-

New bridge to be constructed over Weymouth Fore river.

tially replacing the present bridge over the Weymouth Fore river, so-called, connecting that part of the city of Quincy known as Quincy Point with the town of Weymouth. Such bridge shall be constructed with a draw therein having an opening of not less than eighty feet in width, and shall be of such width, grade, material and construction as said county commissioners, with the approval of the board of harbor and land commissioners, shall deem reasonably necessary and proper.

Expenses, etc.,
to be first paid
by county of
Norfolk.
Proviso.

SECTION 2. The cost and expenses incurred hereunder shall in the first instance be paid by the county of Norfolk: *provided*, that the said cost and expenses do not exceed the sum of one hundred thousand dollars; and the county commissioners of said county are hereby authorized and directed to borrow on the credit of the county such sums of money as may from time to time be required for such cost and expenses. All moneys so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out the same as ordered by said county commissioners, and shall keep a separate and accurate account of all sums borrowed and expended, including interest.

Payment of ex-
pense after
completion of
bridge, etc.

SECTION 3. When such bridge and approaches are completed and the full cost and expense of the same ascertained said county commissioners shall file their report of the fact, together with the amount of such cost and expense, in the office of the clerk of courts for the county of Norfolk; whereupon and upon application of said county commissioners or of any party interested, and after such notice as the superior court for the county of Norfolk may order, said superior court shall appoint a board of three commissioners, who shall be sworn to the faithful discharge of their duties hereunder, and who, after proper notice and a full hearing of all parties interested, shall proceed to assess the amount then paid out by the county of Norfolk, including interest paid on moneys borrowed under the authority of section two of this act, upon such cities, towns and quasi-public corporations as they shall award and determine to be specially benefited by such bridge, and in such amounts as they shall award and determine to be fairly proportionate to the special benefits conferred by said bridge upon the cities, towns and corporations so assessed. The cities, towns and corporations so assessed shall, within such time and in such manner as said commissioners shall

determine, pay into the treasury of the county of Norfolk the amount assessed upon them, with interest.

SECTION 4. The award and determination of the commissioners appointed under section three of this act, or of the majority of them, shall then be reported in writing to the superior court for the county of Norfolk, and upon acceptance by said superior court and judgment or decree thereon shall be binding upon all parties named therein; and such proceedings may be had upon such judgment or decree to enforce and carry into effect the same and the provisions of this act as are provided by law in civil cases in said superior court.

Award, etc., of commissioners to be reported to superior court for Norfolk county, etc.

SECTION 5. The commissioners appointed under section three of this act and said county commissioners shall severally receive such pay for their services and expenses in acting under the authority granted by this act as shall be approved by a justice of said superior court; and the amount so allowed shall be added to and made a part of the cost of the bridge.

Compensation of commissioners.

SECTION 6. Said county commissioners are hereby authorized and empowered to take in fee simple, by purchase or otherwise, any lands with the structures thereon which in their judgment may be required in the building of such bridge.

Lands, etc., may be taken.

SECTION 7. Said county commissioners shall estimate and determine all damages that may be sustained by any person or corporation by the taking of land or other property, or injury thereto, as aforesaid; but any person or corporation aggrieved by their determination may have his or its damages assessed by a jury in the same manner as is provided by law with respect to damages sustained by reason of the laying out of highways.

Damages.

SECTION 8. The cost of maintaining such bridge and of keeping the same in repair, including the cost of operating the draw therein, shall be borne by the cities, towns, and quasi-public corporations found by the commissioners appointed under section three of this act to be specially benefited by such bridge, in the same relative proportion in which they shall contribute to the cost and expense of building the bridge.

Payment of cost of maintaining bridge, etc.

SECTION 9. All acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

SECTION 10. This act shall take effect upon its passage.

Approved July 12, 1900.

Chap. 457 AN ACT TO PROVIDE FOR THE ABOLITION OF THE GRADE CROSSING KNOWN AS ROBESON'S CROSSING IN THE TOWN OF EAST LONG-MEADOW.

Be it enacted, etc., as follows:

Abolition of certain grade crossing in East Long-meadow.

SECTION 1. The grade crossing where the highway from East Longmeadow to Springfield crosses the railroad of the New England Railroad Company, leased to the New York, New Haven and Hartford Railroad Company, known as Robeson's Crossing, in the town of East Longmeadow, shall be abolished in the manner in which commissioners who shall be appointed by the superior court upon the petition of the selectmen of East Longmeadow may prescribe, and in all respects under the provisions of chapter four hundred twenty-eight of the acts of the year eighteen hundred and ninety, and acts in addition to and amendment thereof; except that the railroad companies shall pay fifty-five per cent and the town of East Longmeadow twenty per cent of the cost of such abolition.

SECTION 2. This act shall take effect upon its passage.

Approved July 12, 1900.

Chap. 458 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW BRIDGE OVER THE CONNECTICUT RIVER BETWEEN SPRINGFIELD AND WEST SPRINGFIELD.

Be it enacted, etc., as follows:

New bridge to be constructed over Connecticut river between Springfield and West Springfield, etc

SECTION 1. The county commissioners of the county of Hampden are hereby authorized and required, within four years from the passage of this act, to construct and complete a bridge, with suitable approaches, over the Connecticut river between the city of Springfield and the town of West Springfield. Three commissioners, no one of them being a resident of the county of Hampden, shall be appointed by the supreme judicial court or by the superior court, or by any justice thereof, upon application by the county commissioners of the county of Hampden, or by any city, town or person in interest, which application shall be made in not less than three nor more than six months from the passage of this act, to select the site and grade and locate the approaches of the said bridge. The said commission shall also apportion in the manner hereinafter provided, the expense of constructing the bridge and the approaches thereto. The said commis-

sioners, having been duly sworn to the faithful and impartial discharge of their duties, shall give one or more hearings in the city of Springfield, of which due notice shall be given, at which all parties in interest may be heard as to the site, location of approaches and grade most suitable for said bridge. After hearing such parties, inspecting the sites and approaches proposed, and taking any other steps which said commissioners may deem just and proper, they shall select a site and fix the grade and approaches for the said bridge, and, within four months from the date of their appointment, file their finding in the office of the clerk of the supreme judicial court or of the superior court for the county of Hampden. The said finding when accepted by the court shall be final and binding upon all parties.

SECTION 2. When the location, approaches and grade for said bridge have been determined and the finding filed as above provided, the commission appointed under the authority of section one of this act shall, after due notice to all parties interested, and one or more hearings in the city of Springfield, determine and decree what proportional part of the cost of said bridge, and of the approaches thereto, and all other expenses incurred under this act, including their own fees and what proportional amount of all the expenses of maintaining and repairing said bridge and its appurtenances, excluding the approaches, shall be borne and paid by said county of Hampden and by such towns or cities in said county as the said commissioners shall determine to be specially benefited by the construction of said bridge, and assess upon them the cost of construction and maintenance, in such manner and in such proportions as they shall deem just: *provided, however*, that any excess in the cost of constructing said approaches, above the sum of one hundred thousand dollars, shall be borne and paid by the city of Springfield. They shall also determine and award how, by and to whom such proportional amounts shall be paid, and their determination and decree, or that of the major part of them, shall be made in writing and reported to the supreme judicial or to the superior court for the county of Hampden, and when the same is filed and accepted by said court it shall be final and binding upon all parties interested. The said finding and decree shall be filed not later than one year from the passage of this act.

Apportionment
of expenses,
etc.

Proviso.

Construction of
bridge, etc.

SECTION 3. The bridge authorized by this act shall be a substantial structure; the roadway shall be not less than fifty nor more than fifty-seven feet wide, out of which provision shall be made for double street car tracks, and it shall be so built that it can be paved with brick or asphalt; the footwalks shall not be less than six feet wide each; the piers shall be so located and the bridge so constructed that a draw can conveniently and economically be placed in the structure when required; and the plans of the bridge in this respect must be approved by the board of harbor and land commissioners. The easterly approaches to said bridge shall pass under the tracks of the New York, New Haven and Hartford Railroad Company at a suitable grade for the passage of vehicles and street cars, allowing fourteen feet in the clear under said tracks, and the design, dimensions and construction of the foundations of the piers and abutments of said bridge may be such, if the city of Springfield so requires, as to permit of the construction of piers and extension of the abutments thereof on the down stream or southerly side of the bridge, of sufficient length and form to admit of the convenient and safe placing of a pipe line and its supporting bridge, trusses or girders, for conveying water to the city of Springfield, and any increased cost caused thereby in the designs, dimensions and construction of the foundations of the piers and abutments of said bridge shall be determined by the contractor for the foundations and the county commissioners, and shall be paid by the city of Springfield.

Street car tracks
to be con-
structed across
bridge, etc.

SECTION 4. Said county commissioners shall construct two lines of street car tracks across said bridge, to be included in the cost thereof, and may grant to any street railway company or companies the privilege of running their cars over said bridge, upon such terms, conditions and restrictions and for such compensation as in their judgment public interest and convenience may require: *provided*, that no grant or privilege to run cars over said bridge shall be for a longer period than ten years. The revenue from leasing street railway privileges shall be paid to the county treasurer and apportioned by him to the county, cities and towns in such proportions as by the award of the commissioners above provided for they severally pay toward the cost of maintaining said bridge.

Proviso.

Necessary land,
etc., may be
taken.

SECTION 5. Said county commissioners are hereby authorized to take and hold such land and other property as

may be necessary for the construction and use of said new bridge and the approaches thereto. They shall estimate and determine the damages which may be sustained by any person or company by such taking and holding; and any person or company aggrieved by such determination may have their damages assessed by a jury, in the same manner in which damages sustained by the laying out of highways are assessed under the provisions of the Public Statutes. Said county commissioners shall not be disqualified by residence from acting hereunder.

Damages, etc.

SECTION 6. The said county commissioners are hereby authorized to make all contracts which may be necessary for the construction of said bridge: *provided, however,* that no contract so made shall be valid until it is approved by a justice of the supreme judicial court or of the superior court of this Commonwealth, after notice and a hearing. If it is necessary to disturb the present bridge during the construction of the new bridge the county commissioners are hereby authorized to construct such temporary bridge as may to them seem necessary to prevent obstruction to travel and to facilitate the construction of the new bridge. The present bridge may be removed and sold in such manner and at such time as the county commissioners may deem expedient, and all sums obtained from the sale of the old bridge shall be paid into the county treasury and applied to the cost of the new bridge.

County commissioners may make necessary contracts.
Proviso.

Temporary bridge may be constructed, etc.

SECTION 7. The special commissioners authorized by section one of this act, and the county commissioners, shall severally receive such pay for their services and expenses in acting under the authority herein granted as shall be approved by a justice of the supreme judicial court or of the superior court, and the amount so allowed shall be added to and made a part of the cost of the bridge authorized by this act.

Compensation of commissioners.

SECTION 8. The county commissioners of the county of Hampden are hereby authorized to borrow upon the credit of the county from time to time a sum not exceeding four hundred thousand dollars, including not more than one hundred thousand dollars for the approaches to the bridge, for the purpose of carrying into effect the authority granted in this act. The said county commissioners are hereby required during the construction of said bridge to insert monthly, not later than the tenth of each

County commissioners may borrow upon credit of county, etc.

Detailed statement of transactions to be published monthly, etc.

month, in at least three daily papers published in the county of Hampden, a detailed statement of their transactions during the preceding month, embracing all contracts, if any, made during the month, notes payable given, and to whom, moneys received, and how expended or disposed of.

Liability for defects in bridge, etc.

SECTION 9. Liability for defects in the bridge and its abutments shall exist on the part of the county and said cities and towns in such proportions as by the award of said commissioners they severally pay toward the cost of keeping the same in repair. Such parts of the highway constructed under this act as lie easterly of the abutment of the bridge in Springfield and westerly of its abutment in West Springfield shall be, in respect both to land and construction, maintained and kept in repair by the city or town in which they are, and such city or town shall be liable for defects in them, in the same manner as it is liable for defects in other highways. The care and superintendence of the new bridge shall devolve upon the same authority as that now authorized to care for the present bridge.

Care of highway, bridge, etc.

Notices to be published.

SECTION 10. All notices required by this act shall be given by publishing the same for at least two successive days in not less than four daily papers published in the county of Hampden, and shall designate the time and place at which any hearing will be held.

SECTION 11. This act shall take effect upon its passage.

Approved July 13, 1900.

Chap. 459 AN ACT RELATIVE TO THE INSPECTION OF GAS AND GAS METERS.
Be it enacted, etc., as follows:

P. S. 61, § 1,
 etc., amended.

SECTION 1. Section one of chapter sixty-one of the Public Statutes, as amended by chapter one hundred and sixty-nine of the acts of the year eighteen hundred and eighty-nine, is hereby further amended by striking out the word "an", at the end of the first line, and inserting in place thereof the word: — two, — by striking out the word "inspector", in the second line and in the ninth line, and inserting in each instance in place thereof the word: — inspectors, — by striking out the word "his", in the tenth line, and inserting in place thereof the word: — their, — by striking out the words "his successor", in the eleventh line, and inserting in place thereof the words: —

their successors,—and by striking out in the eleventh line, the words “either or both”, and inserting in place thereof the word:—any,—so as to read as follows:—

Section 1. There shall be an inspector and two assistant inspectors of gas meters and of illuminating gas, appointed by the governor with the advice and consent of the council, and who shall be sworn to the faithful discharge of their duties. Unless sooner removed therefrom as herein provided, the inspector shall hold office for three years from the time of his appointment and until the appointment and qualification of his successor, and the assistant inspectors shall hold office for three years from the time of their appointment and until the appointment and qualification of their successors; but any of said officers may be removed from office by the governor and council at their pleasure.

Inspectors of gas and gas meters, appointment, terms, etc.

SECTION 2. Section two of chapter sixty-one of the Public Statutes, as amended by section one of chapter four hundred and sixty-five of the acts of the year eighteen hundred and ninety-nine, is hereby amended by striking out the whole of said section and inserting in place thereof the following:—*Section 2.* The salary of the inspector shall be twenty-five hundred dollars a year; the salary of the first assistant inspector shall be fifteen hundred dollars a year; the salary of the second assistant inspector shall be twelve hundred dollars a year; and the inspector and assistant inspectors shall be paid, in addition, all actual travelling expenses necessarily incurred by them in performing their official duties. Said salaries and expenses shall be paid out of the treasury of the Commonwealth, but no larger amount shall be so paid out than is actually paid into the treasury in the manner hereinafter provided.

P. S. 61, § 2, etc., amended.

Salaries, etc., of inspectors of gas and gas meters.

SECTION 3. Section three of chapter sixty-one of the Public Statutes is hereby amended by striking out the word “inspector”, in the third line, and inserting in place thereof the word:—inspectors,—and also by striking out the word “bond”, in the fourth line, and inserting in place thereof the word:—bonds,—so as to read as follows:—*Section 3.* The inspector shall give bond to the treasurer of the Commonwealth in the penal sum of five thousand dollars for the faithful discharge of the duties of his office, and the assistant inspectors shall give like bonds in the penal sum of two thousand dollars.

P. S. 61, § 3, amended.

Inspector and assistant inspectors of gas and gas meters to give bonds.

P. S. 61, § 7,
amended.

Portion of
salaries and
expenses of in-
spector and
assistants to be
paid into treas-
ury of the Com-
monwealth by
gas companies.

SECTION 4. Section seven of chapter sixty-one of the Public Statutes is hereby amended by striking out all down to and including the word "May", in the seventh line, and inserting in place thereof the following: — *Section 7.* The amount of the salaries of the inspector and of the assistant inspectors, and of their travelling expenses, together with any expenses incurred under sections six and nine, less the amount that has been collected for the inspection of meters and deposited with the treasurer of the Commonwealth, shall be annually assessed by the tax commissioner upon, and paid into the treasury of the Commonwealth by, the several gas companies in the Commonwealth, in amounts proportionate to their appraised valuation as declared in the returns required to be made by them to the assessors annually in May, — and by adding at the end of said section the words: — If at any time however the amount of the fees collected under this act shall exceed the amount of the salaries and the travelling expenses and other expenses of the inspector and the assistant inspectors, such excess shall be applied to reduce the annual assessment levied upon the several gas companies for the annual expenses of the board of gas and electric light commissioners under the provisions of chapter three hundred and fourteen of the acts of the year eighteen hundred and eighty-five, — so as to read as follows: — *Section 7.* The amount of the salaries of the inspector and of the assistant inspectors, and of their travelling expenses, together with any expenses incurred under sections six and nine, less the amount that has been collected for the inspection of meters and deposited with the treasurer of the Commonwealth, shall be annually assessed by the tax commissioner upon, and paid into the treasury of the Commonwealth by, the several gas companies in the Commonwealth, in amounts proportionate to their appraised valuation as declared in the returns required to be made by them to the assessors annually in May; and in case any such company refuses or neglects, for thirty days after written notice given by the treasurer of the Commonwealth, to pay into the treasury the amount required of such company on account of such salaries and expenses, then the said treasurer shall, in the name of and for the use of the Commonwealth, sue such company for such amount, with interest thereon at the rate of ten per cent per annum from the time when said notice was given, and for the costs of

the action. If at any time however the amount of the fees collected under this act shall exceed the amount of the salaries and the travelling expenses and other expenses of the inspector and the assistant inspectors, such excess shall be applied to reduce the annual assessment levied upon the several gas companies for the annual expenses of the board of gas and electric light commissioners under the provisions of chapter three hundred and fourteen of the acts of the year eighteen hundred and eighty-five.

If fees exceed amount of salaries, etc., excess to be applied to reduction of certain assessment.

SECTION 5. Section nine of said chapter is hereby amended by striking out the whole of said section and inserting in place thereof the following:— *Section 9.* The inspector shall provide at his office such apparatus and chemicals as in his judgment are necessary for the faithful performance of the duties of the office, and for the rent of his office, for apparatus and general office expenses, the inspector shall be allowed annually the sum of sixteen hundred dollars. All bills shall be paid through the auditor of the Commonwealth.

P. S. 61, § 9, amended.

Apparatus and chemicals to be provided, etc.

SECTION 6. This act shall take effect upon its passage.

Approved July 16, 1900.

AN ACT TO AUTHORIZE THE CITY OF WORCESTER TO IMPROVE THE CHANNEL OF MIDDLE RIVER.

Chap. 460

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester, for the purpose of preserving the public health, may straighten, widen, deepen and improve the channel of Middle river in that city, and may take by purchase or otherwise the lands or any of them lying within the district bounded westerly by the dam of the Worcester Carpet Company, so-called, and easterly by the dam of the Worcester Wire Company, so-called, and within two thousand feet of said Middle river on both sides thereof between said dams, and may also take any easements and rights in any of said lands.

City of Worcester may take certain lands, etc., for improvement of channel of Middle river, etc.

SECTION 2. When any of said lands, easements and rights are so taken, in any manner other than by purchase, said city shall, within thirty days after such taking, cause to be recorded in the Worcester district registry of deeds for the county of Worcester, a description of the same as certain as is required in a common conveyance of land, with a statement that the same are taken pursuant to the provisions of this act, which said description and state-

Description of lands, etc., to be recorded.

ment shall be signed by the mayor of the city, and the title to all lands, easements and rights so taken shall thereupon vest in the city of Worcester.

Damages.

SECTION 3. The city of Worcester shall make compensation to the owners for such lands, easements and rights as it shall take under this act, and any person who fails to agree with the city as to the amount of his damages, may apply for the assessment thereof by petition to the superior court in the county of Worcester at any time within one year after such taking. Upon the filing of such petition further proceedings thereon shall be had in the manner provided by sections three, four and five of chapter three hundred and sixty-one of the acts of the year eighteen hundred and seventy-one.

Assessment of betterments, etc.

SECTION 4. Every person holding real estate upon or near said Middle river which may be benefited by the acts of the city hereinbefore authorized shall pay to the city such sum as the board of aldermen of the city shall assess upon him as his proportionate share of the expenditure for the purposes aforesaid, and the sum so assessed shall constitute a lien upon said real estate for two years after it is assessed. If the amount so assessed is not paid within ninety days after notice thereof it may be collected by an action of contract in the name of the city of Worcester, and it may be levied by a sale of said real estate, to be conducted in the same manner as a sale of real estate for the non-payment of taxes. Any person aggrieved by the assessments so made may apply for a jury in the manner provided and subject to the conditions contained in section thirty-two of chapter eighty of the Public Statutes.

SECTION 5. This act shall take effect upon its passage.

Approved July 16, 1900.

Chap. 461 AN ACT TO AUTHORIZE AND DIRECT THE METROPOLITAN PARK COMMISSION TO INVESTIGATE THE ADVISABILITY OF REGULATING THE FLOW AND FLUCTUATIONS OF THE CHARLES RIVER ABOVE THE DAM AT WATERTOWN.

Be it enacted, etc., as follows:

Metropolitan park commission to investigate advisability of regulating flow, etc., of Charles river above dam at Watertown, etc.

SECTION 1. The metropolitan park commission is hereby authorized and directed to investigate the advisability of regulating the flow and fluctuations of the Charles river above the dam at Watertown, and the possibility of entering into agreements for that purpose with any cities, towns, corporations or individuals having the right to

withdraw the waters of said river or to interfere with or regulate its passage by dams or other structures, and may negotiate with any cities, towns, corporations or individuals to pay a part of the cost of regulating the flow and fluctuations of the river; and any sums of money contributed by such cities, towns, corporations or individuals for that purpose shall be paid to the treasurer and receiver general of the Commonwealth, to be placed by him to the credit of and added to the funds provided by law for meeting the expense of the metropolitan park commission, and such sum or sums paid over as aforesaid may be expended by said commission, in addition to any loans or appropriations authorized for park purposes. Said commission shall report its recommendations, together with plans and an estimate of the cost of carrying out the same, to the next general court. The expense of said investigation shall be charged to the Metropolitan Parks Loan.

Recommendations, etc., to be reported to next general court, etc.

SECTION 2. Pending the action of the general court said commission, for the preservation of the health of the community and the pleasure and health of the boating interests on the river between the Waltham dam and Newton Lower Falls, may expend for regulating the flow and fluctuations of that part of the river such portion as may be necessary of the moneys heretofore appropriated and authorized to be expended by that commission by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and acts in addition thereto or in amendment thereof.

Flow, etc., of part of river may be regulated pending action of general court.

SECTION 3. This act shall take effect upon its passage.

Approved July 16, 1900.

AN ACT RELATIVE TO THE CROSSINGS OF RAILROADS AND PUBLIC
WAYS IN EAST BOSTON.

Chap. 462

Be it enacted, etc., as follows:

SECTION 1. The commission appointed by the superior court for the county of Suffolk, upon petition of the mayor and aldermen of the city of Boston under the provisions of chapter three hundred and ninety of the acts of the year eighteen hundred and ninety-nine, if it determines that the public interests require the abolition of the grade crossings, or any of them, designated in said act, shall have power to determine that the present location of the tracks of the railroads mentioned in said act, or any part thereof, be discontinued and changed and that a new

Certain grade crossings in East Boston may be abolished, etc.

location for the tracks thus discontinued, or any of them, be established. But the tracks of the Boston, Revere Beach and Lynn Railroad Company shall not be crossed at grade, and the present locations of said company shall not be taken or disturbed without its consent. The said commission shall also have power, if it determines that the public interests require the abolition of said grade crossings, or any of them, to discontinue any part of Marginal street, of Webster street west of Orleans street, or of Maverick street east of the location of the Boston, Revere Beach and Lynn Railroad Company; and may determine a location or locations for suitable yards, either in East Boston or Chelsea, for any of the railroads the tracks of which may be relocated under this act. The commission may take land in fee simple or otherwise, for the rights of way or locations which it shall determine to be necessary for the said relocation of the said tracks, or any of them, and may also take land in East Boston or Chelsea for such new yards as it shall determine to be necessary for said railroad companies, or either of them.

Necessary lands may be taken, etc.

In case of relocation of certain tracks, yards of Boston and Albany Railroad Company may be used for certain purposes, etc.

SECTION 2. In case the said commission shall determine that the public interests require the relocation of the tracks of the Boston and Maine or Boston and Albany railroads, or any of them, the present yards of the Boston and Albany Railroad Company between Marion and Bennington streets in East Boston may be used for storage and switching purposes, pending any change in the location of said railroad that may be ordered by said commission under section one of this act; and the said railroad company may continue to cross at grade such streets as are necessary to reach said yards until said change of location has been effected, but in no event for a longer term than three years after the passage of this act.

Conditions under which right of way through flats of East Boston Company may be taken.

SECTION 3. In case the said commission shall determine that the public interests require the abolition of said grade crossings, or any of them, and in case the location of the Boston, Revere Beach and Lynn Railroad Company is not taken under section one of this act, no right of way shall be taken through the flats of the East Boston Company, unless the said company shall convey the same in fee without charge for the purpose of such right of way.

Relocation of certain tracks, etc.

SECTION 4. In case said commission shall determine that public interests require the relocation of said tracks, or any of them, they may be carried over the locations of the Boston, Revere Beach and Lynn Railroad Company

by bridges not less than sixteen feet high in the clear, which do not otherwise disturb its locations and tracks; and, with the consent of the company, the present tracks of the Boston, Revere Beach and Lynn Railroad Company, or any part thereof, may be raised or lowered and the locations, tunnels, wharves and docks of said company, or any of them, may be taken by said commission for the purpose of providing a new location or new locations for the tracks to be relocated under the provisions of this act; and a new double track location or locations for said company and locations for side tracks, switches and turntables to enable said company conveniently to manage and operate its railroad and ferry in East Boston may also be so taken through private property and across public ways, the grades of which public ways, including for this purpose Prescott and Porter streets, and of said railroad shall be prescribed by said commission in such manner that there shall be no crossing at grade of public ways or railroads by a railroad in such relocation.

SECTION 5. The Boston, Revere Beach and Lynn Railroad Company shall bear no part of the expenses of the abolition of the grade crossings under the provisions of chapter three hundred and ninety of the acts of the year eighteen hundred and ninety-nine or under the provisions of this act; and said company in case of its relocation may discontinue any portion of its road, locations or ferries, and may sell, lease or otherwise dispose of its other terminals on Atlantic avenue in Boston, and any or all other property owned by it, including its ferry, ferryboats and franchises.

Boston, Revere Beach and Lynn Railroad Company to bear no part of certain expenses; may dispose of certain property, etc., in case of relocation.

SECTION 6. The provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and the provisions of the last five sections of chapter three hundred and ninety of the acts of the year eighteen hundred and ninety-nine shall, so far as applicable and not inconsistent with the provisions of this act, apply to said commission and to the carrying out of its decisions: *provided, however*, that there shall be filed in the registry of deeds for the county of Suffolk a plan or plans showing the lands and rights to be taken, as specified in the decision of the commission, in carrying out the provisions of said chapter three hundred and ninety or the provisions of this act. Said plan or plans shall be signed by the chairman of the board of railroad commissioners, and he may sign any such plan on the application of any party in interest. To make any taking other than by

Certain provisions of law to apply.

Proviso.

Plans to be signed by chairman of board of railroad commissioners, etc.

Payment of
cost.

purchase of said lands and rights, or any of them, there shall be recorded in said registry a statement specifying the same, which statement shall be signed by said chairman on request as aforesaid, and the recording of such statement shall constitute a taking of the lands and rights so specified. If said commission shall determine that the public interests require the abolition of said grade crossings, or of any of them, in accordance with the provisions of this act, the commission shall determine the proportion in which the cost of carrying out its recommendations and decisions shall be borne, but in no event shall the proportion to be borne by the Commonwealth exceed twenty-five per cent, nor shall any company that discontinues or abandons its locations under the provisions of section five of said chapter three hundred and ninety be required to pay any part of said cost.

Hearings before
commission and
report, etc.

SECTION 7. Said commission shall not be required to hear and pass upon the matters and things provided for by this act before the first day of October in the year nineteen hundred, and shall not be required to report to the superior court for the county of Suffolk upon the matters referred to said commission by said chapter three hundred and ninety of the acts of the year eighteen hundred and ninety-nine or upon the matters referred to said commission by this act until the first day of April in the year nineteen hundred and one; and upon the report to the said court of the recommendations and decision of the said commission the same shall, if confirmed by the court, be forthwith carried out.

SECTION 8. This act shall take effect upon its passage.

Approved July 16, 1900.

Chap. 463

AN ACT RELATIVE TO THE ABOLITION OF GRADE CROSSINGS.

Be it enacted, etc., as follows:

1890, 428, § 5,
etc., amended.

SECTION 1. Section five of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, as amended by section one of chapter one hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, is hereby further amended by adding at the end of said section the words: — *provided, however,* that all expense resulting from the necessary relocating or changing of streams and water courses forming the natural drainage channels of the territory in which alterations of grades are authorized, also of sewers, drains and pipes

therein owned and operated by municipal corporations, shall be a part of the actual cost of the alterations mentioned in section three of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety; and said expense shall primarily be paid by the city or town,—so as to read as follows:—*Section 5.* All damages sustained by any person in his property by the taking of land for, or by the alterations of the grade of, a public way, or by an abutter thereon, for the discontinuance of such public way, to the same extent as damages are now recoverable by law by abutters on ways discontinued by towns, shall primarily be paid by the city or town; and all damages occasioned by the taking of land for the railroad shall primarily be paid by the railroad company; and in case the parties interested cannot agree upon said damages, the city, town, railroad company or other party may have the damages determined by a jury at the bar of the superior court for the county wherein the property and crossing are situated, on petition, brought within one year after the day of the date of the decree of the court confirming the decision of said commission, by either of said parties, in the same manner and under like rules of law as damages may be determined when occasioned by the taking of land for the locating and laying out of railroads and public ways, respectively, in such city or town: *provided, however,* that all expense resulting from the necessary relocating or changing of streams and water courses forming the natural drainage channels of the territory in which alterations of grades are authorized, also of sewers, drains and pipes therein owned and operated by municipal corporations, shall be a part of the actual cost of the alterations mentioned in section three of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety; and said expense shall primarily be paid by the city or town.

Abolition of
grade crossings,
damages.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved July 16, 1900.

AN ACT TO AUTHORIZE AND DIRECT THE BOARD OF METROPOLITAN SEWERAGE COMMISSIONERS TO REFUND TO THE TOWN OF WATERTOWN THE COST OF A SIPHON UNDER THE CHARLES RIVER.

Chap. 464

Be it enacted, etc., as follows:

SECTION 1. The board of metropolitan sewerage commissioners is hereby authorized and directed to pay to the

Metropolitan
sewerage com-
missioners to

refund to town
of Watertown
cost of certain
siphon, etc.

town of Watertown the sum of ninety-six hundred dollars, with interest thereon at the rate of four per cent per annum from the first day of April in the year eighteen hundred and ninety-seven; said sum having been paid by the town of Watertown for a siphon with connected structures constructed under the direction of said board, extending under the Charles river from the eastern part of said town to the main sewer of the Charles river valley system of sewage disposal. Said siphon shall hereafter form a part of the south metropolitan system of sewers.

Treasurer and
receiver general
to issue scrip,
etc.

SECTION 2. To provide for the payment of the aforesaid sum the treasurer and receiver general shall, with the approval of the governor and council, issue scrip or certificates of debt, in the name and behalf of the Commonwealth and under its seal, to such amount as may be necessary, for a term not exceeding forty years from the date thereof. The scrip or certificates of debt so issued shall be construed as an addition to and shall become a part of the loan authorized by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine; and the sinking fund established under the provisions of said chapter shall be a sinking fund for the extinguishment of the debt authorized by this act. The interest and sinking fund requirements of said debt shall be assessed upon the cities and towns of the south metropolitan district in the manner provided by chapter four hundred and twenty-four of the acts of the year eighteen hundred and ninety-nine.

Sinking fund,
etc.

SECTION 3. This act shall take effect upon its passage.

Approved July 16, 1900.

Chap. 465

AN ACT TO AUTHORIZE THE METROPOLITAN PARK COMMISSION TO
IMPROVE THE BANKS OF THE CHARLES RIVER.

Be it enacted, etc., as follows:

Bed of Charles
river to be
dredged and
banks repaired,
etc.

SECTION 1. The metropolitan park commission is hereby authorized, under the provisions of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and of acts in addition thereto and in amendment thereof, to enter into agreements with the town of Watertown and the United States government for dredging the bed and improving the banks of the Charles river, and any sums of money contributed by said town or by the United States government for this purpose shall be

paid to the treasurer and receiver general of the Commonwealth, to be placed by him to the credit of and added to the funds provided by law for meeting the expenses of the metropolitan park commission; and such sums of money may be expended by said commission in addition to any loans or appropriations authorized for park purposes; and for the carrying out of the provisions of this act said commission is hereby authorized to expend the further sum of fifty thousand dollars, in addition to the sums heretofore authorized.

SECTION 2. To meet expenses incurred under authority of this act the treasurer and receiver general shall issue scrip, certificates of indebtedness or bonds, to the amount of fifty thousand dollars, as an addition to the Metropolitan Parks Loan. The sinking fund already established by law shall also be maintained for the purpose of extinguishing such scrip, certificates or bonds; and any premium realized on the sale thereof shall be applied to the payment of the interest on the loan hereby authorized, as it accrues. Said scrip, certificates of indebtedness or bonds shall be issued and said sinking fund assessed and collected in accordance with the provisions of said chapter four hundred and seven and acts in amendment thereof and in addition thereto, including chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-nine.

Treasurer and receiver general to issue scrip or bonds, etc.

Sinking fund.

SECTION 3. This act shall take effect upon its passage.

Approved July 16, 1900.

AN ACT RELATIVE TO THE RESPECTIVE RIGHTS OF ATTACHING CREDITORS OF REAL ESTATE AND LIEN CLAIMANTS.

Chap. 466

Be it enacted, etc., as follows:

SECTION 1. Section thirty-four of chapter one hundred and ninety-one of the Public Statutes is hereby repealed.

P. S. 191, § 34, amended.

SECTION 2. This act shall take effect upon its passage.

Approved July 16, 1900.

AN ACT TO AUTHORIZE AND DIRECT THE METROPOLITAN PARK COMMISSION TO ACQUIRE FULLER'S WHARF IN THE BRIGHTON DISTRICT OF THE CITY OF BOSTON AS A PART OF THE CHARLES RIVER RESERVATION.

Chap. 467

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission is hereby authorized and directed to acquire by purchase or

Metropolitan park commission to acquire

Fuller's wharf,
etc., in Brighton
district.

by eminent domain Fuller's wharf, on Western avenue in the Brighton district of the city of Boston, adjacent to Western avenue bridge across the Charles river, together with all rights in said river appurtenant thereto, as a part of the Charles river reservation.

Treasurer and
receiver general
to issue scrip or
bonds, etc.

SECTION 2. To meet the expenses incurred under the authority of this act the treasurer and receiver general shall issue scrip, certificates of indebtedness or bonds, to the amount of thirty thousand dollars, as an addition to the Metropolitan Parks Loan. The sinking fund already established by law shall also be maintained for the purpose of extinguishing scrip, certificates or bonds issued under the authority of this act. Any premium realized on the sale of said scrip or certificates or bonds shall be applied to the payment of the interest on the loan hereby authorized, as it accrues. Said scrip, certificates of indebtedness or bonds shall be issued and the said sinking fund assessed and collected in accordance with the provisions of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and acts in addition thereto and in amendment thereof, including chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-nine.

Sinking fund,
etc.

SECTION 3. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap. 468

AN ACT TO AUTHORIZE THE LEASE OF THE BOSTON AND ALBANY RAILROAD TO THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

Be it enacted, etc., as follows:

Lease of Boston
and Albany
Railroad to New
York Central
and Hudson
River Railroad
Company au-
thorized.

SECTION 1. Subject to the conditions hereinafter mentioned the consent of the Commonwealth is hereby given to the contract and lease of the railroad, franchises and property of the Boston and Albany Railroad Company and to a supplemental contract in connection therewith for the sale of certain of its assets, which contracts were made and entered into between the directors of the Boston and Albany Railroad Company and the directors of the New York Central and Hudson River Railroad Company on the fifteenth day of November in the year eighteen hundred and ninety-nine, and which were severally approved and adopted by the votes of stockholders owning more than two thirds of the stock of each of said corporations

which was represented and voted upon in person or by proxy at special meetings called separately for that purpose.

SECTION 2. By giving the consent aforesaid the Commonwealth does not waive or release any rights or privileges which it may now have, but, on the contrary, hereby expressly reserves and retains such rights, including the right to reduce rates and fares, to compel service, to impose restrictions, and any and all other rights which it now has or may hereafter have by law, or under the charter of the Boston and Albany Railroad Company, or under the charters of its constituent or leased lines, or under amendments of said charters.

Certain rights, etc., of Commonwealth not affected.

SECTION 3. The consent and authority herein given by the Commonwealth are given for the consideration and upon the express condition that the New York Central and Hudson River Railroad Company will agree to perform and abide by, and will perform and abide by, the provisions of this and the following sections of this act; and the entry by the said railroad company upon the demised premises for the purpose of operating said railway under said lease shall be taken to signify the acceptance by the said railroad company of the conditions hereby imposed and its agreement to perform and abide by the provisions of the following sections.

Conditions under which consent and authority of Commonwealth are given, etc.

SECTION 4. The New York Central and Hudson River Railroad Company shall not, at any time during the term of said lease, charge, demand or receive, or be entitled to charge, demand or receive, a greater sum for transportation by it of freight from any point of origin, to the port of Boston for export to foreign countries, than is at the time received by it for transportation of the like class and quantity of freight from the same point to the port of New York for export to foreign countries; or charge, demand or receive, or be entitled to charge, demand or receive, a greater sum for transportation from the port of Boston of freight from foreign countries through said port to any point, than is at the time received by it for transportation of the like class and quantity of freight through the port of New York to the same point: *provided, however*, that if the aforesaid provisions of this section shall conflict with any regulations made by act of congress this section shall be null and void so far as it conflicts therewith. The said railroad company during the term

Transportation of freight.

Proviso.

of said lease shall not diminish nor permit to be diminished the facilities for travel and business over the Boston and Albany railroad or any part thereof, nor lower or permit to be lowered the standard of its service as shown in the quality and equipment of its cars, in the construction and care of its stations, station grounds and approaches thereto, and in the provisions made for the security and convenience of the public.

Lessee to be subject to certain provisions of law.

SECTION 5. The lessee so long as it has possession of the said railroad under said lease shall, so far as the operation of said railroad is concerned, be subject to the provisions of all laws now in force or which hereafter may be enacted concerning railroad corporations incorporated within this Commonwealth.

Certain sum to be expended for improvements, etc.

SECTION 6. The New York Central and Hudson River Railroad Company shall expend out of the earnings of the Boston and Albany Railroad Company, or from the proceeds of the issue and sale of the bonds of the Boston and Albany Railroad Company under the provisions of said lease, not less than the sum of two hundred and fifty thousand dollars in each year, beginning not later than the first day of July in the year nineteen hundred and one, until the full sum of two million five hundred thousand dollars has been expended, in extending, enlarging, improving and developing the terminal facilities of the lessor in that part of Boston called East Boston and upon the Grand Junction railroad from its connection with the main line at Cottage Farm to the wharves and warehouses of the lessor at East Boston, and for approaches to the property taken by the Commonwealth at East Boston for the purpose of constructing thereon wharves and docks: *provided, however*, that no more than five hundred thousand dollars of said sum shall be expended in double tracking said Grand Junction railroad and in the elimination of grade crossings thereon; and the board of railroad commissioners, on proper application, shall approve the issue of such bonds in an amount not exceeding two million five hundred thousand dollars for the purposes aforesaid; and *provided, further*, that nothing herein contained shall be construed to alter or affect the provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, and all acts in amendment thereof or in addition thereto.

Proviso.

Returns, statements, etc.

SECTION 7. All reports, returns, statements and other acts required by the laws of this Commonwealth to be made,

executed or performed by domestic railroad corporations shall be made, executed and performed by the New York Central and Hudson River Railroad Company in respect to its operation of the Boston and Albany railroad so long as said lease continues in force; and if at any time said New York Central and Hudson River Railroad Company shall neglect to make such returns, reports or statements, it shall be subject to the same penalties as those to which domestic railroad corporations are subject for the like neglect.

SECTION 8. No change, modification or amendment of said lease shall be valid unless and until it is approved by the legislature of the Commonwealth.

Changes, etc., in lease to be approved by legislature.

SECTION 9. Whenever in the opinion of the railroad commissioners of this Commonwealth the provisions of this act or of any other act applicable to the lessee are not performed by the lessee they shall transmit a statement to that effect to the attorney-general, who shall have the power to institute and who shall thereupon institute legal proceedings to compel the observance of the provisions alleged to be violated; and in any case where there exists no provision of law sufficient to compel the performance of the provisions set forth in this act the same may be enforced by petition brought by the attorney-general as aforesaid.

In case of failure of lessee to comply with provisions attorney-general to be notified, etc.

SECTION 10. The supreme judicial court of this Commonwealth shall have exclusive jurisdiction of all proceedings and petitions brought by the attorney-general as aforesaid, and may enforce the performance thereof, and its decrees and mandates may be served upon or take effect upon any agent or any property of the lessee found within the jurisdiction of this Commonwealth.

Jurisdiction of proceedings, etc.

SECTION 11. Upon any failure to comply with and observe the final decrees and mandates of the supreme judicial court of this Commonwealth, provided for in the foregoing sections of this act, or of any federal court of competent jurisdiction, the consent and authority herein given may be revoked and annulled at any time by the general court, notwithstanding any prior failure to observe and comply with any decree or mandate aforesaid. The remedies provided in this and the preceding sections shall be in addition to and shall not repeal any remedies already existing.

Authority, etc., may be revoked under certain conditions, etc.

SECTION 12. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap.469 AN ACT RELATIVE TO THE EMPLOYMENT OF LABORERS ON PUBLIC WORKS.*Be it enacted, etc., as follows:***Employment of laborers on public works.**

SECTION 1. No person or corporation, and no agent or employee of any person or corporation, under contract with the Commonwealth or any municipal corporation or any county therein, or with any board, commission or officer acting on behalf of the Commonwealth or any county or municipal corporation therein, for the doing of public work, shall, either directly or indirectly, make it a condition of the employment of any person that he shall lodge, board or trade at any particular place or with any particular person; but every employee in such work shall have full liberty to lodge, board and trade wheresoever and with whomsoever he may choose.

Provisions of act to be part of contract.

SECTION 2. It shall be the duty of every board, commission or officer contracting as aforesaid, to make the provisions of this act a part of the contract.

Penalty.

SECTION 3. Any person who violates the provisions of this act shall be punished by fine not exceeding one hundred dollars for each offence. *Approved July 17, 1900.*

Chap.470 AN ACT RELATIVE TO THE WEEKLY PAYMENT OF WAGES BY THE COMMONWEALTH AND ITS OFFICERS.*Be it enacted, etc., as follows:***1894, 508, § 51, to apply to Commonwealth.**

The provisions of section fifty-one of chapter five hundred and eight of the acts of the year eighteen hundred and ninety-four, relative to the payment of weekly wages, as far as applicable to the cities of the Commonwealth, shall apply to the Commonwealth, and its officers, boards and commissions, when acting as employers of mechanics, workmen and laborers. *Approved July 17, 1900.*

Chap.471 AN ACT RELATIVE TO CERTAIN GRADE CROSSINGS IN THE CITY OF BOSTON.*Be it enacted, etc., as follows:***Report of commissioners to consider abolition of certain grade crossings in Boston amended.**

SECTION 1. The report of the commissioners appointed by the superior court for the county of Suffolk to consider the abolition of the grade crossings of Austin street, Cambridge street, Perkins street, Main street, and Rutherford avenue in the Charlestown district of Boston, confirmed

subject to certain changes therein by chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety-nine, is hereby further amended so that the paragraph numbered five on the eighth page of said report, headed "Laying out of low section of Austin street", shall read as follows:—The low section of Austin street aforesaid is hereby laid out and bounded by the following lines:—Beginning at a stone bound at the point marked O on said plan in the southwesterly line of Washington street at the northerly line of land now or late of Sullivan Niles and another, and distant fifty-seven and five tenths feet southeasterly from the present intersection of the said southwesterly line of Washington street with the present southerly line of Austin street; thence running south thirty degrees forty-three minutes eight seconds west on the land now or late of said Niles, seventy feet to the northeasterly line of Lynde street; thence continuing in the same course thirty feet to the stone bound in the southwesterly line of said Lynde street; thence turning and running north fifty-nine degrees sixteen minutes fifty-two seconds west along said southwesterly line of Lynde street, sixty-eight and twenty-six one hundredths feet to a stone bound; thence turning and running south sixty-seven degrees fifty minutes thirty-eight seconds west three hundred six and thirty-three one hundredths feet to a stone bound; thence turning by a curved line, the radius of which is ten feet, running southerly and easterly twenty-two and sixty-one one hundredths feet to a stone bound in the northeasterly line of Front street; thence turning and running north sixty-one degrees nine minutes thirty-seven seconds west along the northeasterly line of Front street sixty-four and forty-seven one hundredths feet to the new southerly line of the elevated part of Austin street as hereinbefore described; thence turning and running north forty-six degrees two minutes thirty-eight seconds east along said new southerly line of the elevated part of Austin street, twenty-eight and thirty-one one hundredths feet to an angle in said southerly line at the point marked R on said plan; thence turning and running north sixty-one degrees fifty-five minutes eight seconds east along the said new southerly line fifty-five and twenty-two one hundredths feet to a point marked Q on said plan; thence turning and running north sixty-seven degrees fifty minutes thirty-eight seconds east fourteen and seventeen one hundredths feet to a

Paragraph 5,
page 8, headed
"Laying out of
low section of
Austin street,"
amended.

point to be marked Q^1 on said plan; thence turning and running north forty-two degrees fifty-four minutes twenty-two seconds west fifty-three and forty-seven one hundredths feet to a point to be marked Q^2 on said plan in the new northerly line of Austin street, said line to be marked $Q^1 - Q^2$ being parallel with and forty feet distant from the line marked $A - A^1$ which is the line of the face of an abutment; thence turning and running north sixty-seven degrees fifty minutes thirty-eight seconds east on the new northerly line of Austin street forty-two and seventy-eight one hundredths feet to the point marked A on said plan; thence turning and running south forty-two degrees fifty-four minutes twenty-two seconds east by the face of said abutment on line $A - A^1$ sixty-four and sixteen one hundredths feet to the point marked A^1 on said plan; thence turning and running north sixty-seven degrees fifty minutes thirty-eight seconds east on said new southerly line of the elevated part of Austin street three hundred seven and ninety one hundredths feet to said point marked P on said plan in the southwesterly line of Washington street; thence south fifty-nine degrees sixteen minutes fifty-two seconds east in the said southwesterly line of Washington street forty-four and eighty-three one hundredths feet to the point of beginning.

Paragraph 1 of section entitled "Retaining walls, fills, and slopes of Cambridge street" changed.

The first paragraph of the section of said report entitled "Retaining walls, fills, and slopes of Cambridge street", shall be changed so as to read as follows: — "Cambridge street shall be filled solid within its present lines from said point marked A on said plan $A - 1$ to the point marked B^1 , the said fill shall end in a stone abutment at B^1 . Beginning at point marked D on Cambridge street the said street shall be filled solid within its present lines to a point sixty-six and five tenths feet westerly of a point marked C^1 on said plan, measured on the centre line of said street, at which point the said fill shall end in a stone abutment."

Paragraph 1 of section entitled "Cambridge Street Viaduct Construction" changed.

The first paragraph of the section of said report entitled "Cambridge Street Viaduct Construction", shall be changed so as to read as follows: — "Bridge. Spanning the railroads between points marked B^1 and a point sixty-six and five tenths feet westerly of a point marked C^1 on said plan, measured on the centre line of said street, there shall be built a steel bridge seventy-five feet wide, having three lines of trusses spaced as shown on cross section on

said plan A¹ with paved roadways and planked sidewalks, with a clear head room of not less than sixteen feet over the tracks, after the same shall have been depressed as hereinafter specified. The whole structure shall be designed according to the best modern practice for a live load of one hundred pounds per square foot uniformly distributed, or a wagon load of twenty tons on four wheels spaced five feet by ten feet. Said bridge shall be supported on stone abutments and stone piers": *provided, however,* Proviso. that the Commonwealth shall pay for the construction of Cambridge street and bridge, as herein described, only the amount which it would have been required to pay for the construction of said street and bridge had said Cambridge street and bridge been constructed as prescribed in said report of said commissioners.

SECTION 2. The provisions of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety-nine, as amended by chapter one hundred and ninety-three of the acts of the current year, shall apply to the said report as hereby amended, with the same effect as if the changes hereby made had been included in the changes mentioned in said chapter four hundred and twenty-one. Certain provisions of law to apply.

SECTION 3. This act shall take effect upon its passage.

Approved July 17, 1900.

AN ACT RELATIVE TO THE ABOLITION OF THE GRADE CROSSINGS OF BROWNELL STREET AND OTHER STREETS AND WAYS IN THE CITY OF FALL RIVER, AND THE RAILROAD OF THE OLD COLONY RAILROAD COMPANY.

Chap. 472

Be it enacted, etc., as follows:

SECTION 1. The report of the commissioners appointed by the superior court for the county of Bristol to consider the abolition of the grade crossings of Brownell street and other streets and ways and the road of the Old Colony Railroad Company in the city of Fall River, filed in said court on the sixteenth day of July of the current year, is hereby confirmed; the Old Colony Railroad Company and the city of Fall River shall make the alterations prescribed in said report as therein specified; the Commonwealth and said city and railroad company shall pay the cost of said alterations and of the hearing in the proportions prescribed in said report; and all the provisions of chapter four hun-

Report of commissioners to consider abolition of certain grade crossings in Fall River confirmed, etc.

Proviso.

dred twenty-eight of the acts of the year eighteen hundred and ninety, and all acts in amendment or addition thereto, not inconsistent with this act, shall apply to and govern the proceedings in connection with the abolition of said crossings, in the same manner as if the decision and report of said commission had been confirmed by the court: *provided, however*, that there shall be filed in the registry of deeds for the county of Bristol a plan signed by the mayor of said city and the engineer of the railroad company, showing the lands and rights specified in said report to be taken; and to take otherwise than by purchase any such lands or rights there shall be recorded in said registry of deeds a statement that the lands and rights specified therein are taken, for highway purposes or for railroad purposes, as the case may be, for the purpose of abolishing said crossings, and the recording of any such statement shall constitute the taking of the lands and rights specified therein. Every such statement shall be signed by the mayor of the city and the engineer of the railroad company.

SECTION 2. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap. 473 AN ACT RELATIVE TO HOUSES OF CORRECTION IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Additions to be made to house of correction at Deer Island, etc.

SECTION 1. The penal institutions commissioner of the city of Boston shall cause to be prepared plans for additions to and new buildings for the house of correction at Deer Island; shall, when said plans have been approved by the commissioners of prisons and the mayor of the city, contract, in behalf of the city of Boston, for the construction of said buildings or additions; and shall, when said new buildings or additions are sufficiently advanced therefor, remove all the prisoners from the house of correction at South Boston to the house of correction at Deer Island. After said removal the land and buildings at South Boston shall no longer be used for a house of correction. The mayor of the city of Boston may sell the lot of land in South Boston on which the house of correction is located, or such part of said land as he shall deem proper, and in case such sale is made the proceeds thereof shall be used for the payment of expenses incurred in carrying out the provisions of this act, or for the payment of any bonds

Land in South Boston may be sold, etc.

issued for the purpose of carrying out said provisions. The possession of said land shall be given when the prisoners shall be removed from the house of correction.

SECTION 2. Said new buildings and additions shall contain such suitable cells and rooms as shall be deemed requisite for the proper care and treatment of the inmates, and shall be so constructed that with the other buildings on said island arrangements can be made for the classification of the prisoners, complete separation of prisoners sentenced for a term of one year or more from those sentenced for a less term than one year, complete separation of female prisoners from male prisoners, complete separation of male prisoners sentenced for drunkenness from other prisoners, separate cells for male prisoners held for non-payment of fines, so that no such prisoner shall come in contact with any other prisoner, schools and manual training for the prisoners.

Construction of new buildings, etc.

SECTION 3. The sheriff of the county of Suffolk shall prepare plans for additions to or new buildings for the Suffolk county jail, so as to provide cells for female prisoners and such other cells and rooms as shall be deemed requisite for the proper care and treatment of the inmates of said jail; and after said plans have been approved by the commissioners of prisons and the mayor, said sheriff shall, in behalf of the city, contract for the erection of such buildings or additions.

Additions to be made to Suffolk county jail, etc.

SECTION 4. This act shall take effect upon its passage.

Approved July 17, 1900.

AN ACT RELATIVE TO THE MASSACHUSETTS HIGHWAY COMMISSION.

Chap. 474

Be it enacted, etc., as follows:

SECTION 1. The governor with the advice and consent of the council shall, on or before the first day of January in the year nineteen hundred and one, appoint three competent persons, one to be designated as chairman, to serve as the Massachusetts Highway Commission. Their terms of office shall be so arranged and designated at the time of their appointment that the term of one member shall expire in three years, one in two years and one in one year. The full term of office thereafter shall be for three years, and all vacancies occurring shall be filled by the governor, with the advice and consent of the council. The members of said board may be removed by the governor, with the

Massachusetts Highway Commission, appointment, terms, etc.

advice and consent of the council, for such cause as he shall deem sufficient and shall express in the order of removal. The chairman shall receive an annual salary of thirty-five hundred dollars, and each of the other members shall receive an annual salary of twenty-five hundred dollars, in full compensation for their services, payable in equal monthly instalments. They shall be allowed their travelling expenses, and shall devote their time to the business of the commission. They may expend annually for clerk hire, engineers and for defraying the expenses incidental to and necessary for the performance of their duties such sum as the legislature shall appropriate. They shall be provided with an office in the state house, or in some other suitable place in the city of Boston, in which the records of their office shall be kept. They may establish rules and regulations for the conduct of business and for carrying out the provisions of this act.

Compensation,
etc.

Engineers,
clerks, etc.

1903, 476, § 1,
repealed, etc.

When to take
effect.

SECTION 2. Section one of chapter four hundred and seventy-six of the acts of the year eighteen hundred and ninety-three is hereby repealed and the term of office of the members of the Massachusetts highway commission appointed under said section shall terminate upon the appointment of their successors, in accordance with the provisions of this act.

SECTION 3. So much of section one of this act as authorizes the appointment of the members of said Massachusetts highway commission shall take effect upon its passage; and the remainder of this act shall take effect on the first day of January in the year nineteen hundred and one.

Approved July 17, 1900.

Chap. 475 AN ACT TO AUTHORIZE THE MASSACHUSETTS HIGHWAY COMMISSION TO ALTER LOCATIONS.

Be it enacted, etc., as follows:

Massachusetts
highway com-
mission may
alter locations
for state high-
ways, etc.

SECTION 1. The Massachusetts highway commission, with the concurrence of the mayor and board of aldermen of a city or of the selectmen of a town, may alter any location made by it for a state highway in any city or town, by filing a plan thereof in the office of the county commissioners, together with a certificate that said commission has laid out and taken charge of said highway as changed or altered in accordance with said plan, and by filing a copy of the plan or location as changed, in the

office of the clerk of said city or town as required by law in the filing of original locations. Any damages sustained by any person whose property is taken for or injured by the construction of any such highway shall be recovered in the same manner as provided by law for the recovery of damages upon an original taking by said commission. Damages.

SECTION 2. Said commission, with such concurrence, may by deed executed, acknowledged and recorded according to the laws of the Commonwealth, accompanied by a plan of survey also to be recorded with such deed, abandon any portion of the land or rights in land in any city or town taken or acquired by it, and said abandonment shall revert the title thereof as if never taken, in the persons, their heirs and assigns, in whom it was vested at the time of the taking. The said abandonment may be pleaded in reduction of damages in any suit therefor on account of such taking. Certain land, etc., may be abandoned.

SECTION 3. This act shall take effect upon its passage.

Approved July 17, 1900.

AN ACT RELATIVE TO THE BOSTON, CAPE COD AND NEW YORK CANAL COMPANY.

Chap. 476

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter four hundred and forty-eight of the acts of the year eighteen hundred and ninety-nine is hereby amended by adding at the end of said section the words:—except that, if a contract or contracts shall be entered into by said corporation, by the terms of which capital stock and bonds are to be issued by said corporation in payment for labor to be performed or materials to be furnished in the construction and equipment of said canal, in accordance with the plans as approved by the board of harbor and land commissioners as provided in this act, and such contract or contracts be approved by said joint board, after such advertisement for bids thereunder as shall be satisfactory to said joint board and provided such contract shall be awarded to the lowest bidder, satisfactory to said joint board who gives bonds to the satisfaction of said canal company, said corporation may issue its capital stock and bonds from time to time, pro rata to the labor performed and the materials furnished on the certification by said joint board that such work has been done or such materials furnished and in accordance 1899, 448, § 2, amended.

Capital stock
and bonds.

with the terms of any such contract: *provided, however*, that if any part of the construction of said canal which is included in any contract approved by said joint board be performed by the United States, such construction shall not be reckoned in calculating the amount of work performed, nor shall any stocks or bonds be issued against such construction, — so as to read as follows: — *Section 2.* The capital stock of said corporation shall be six million dollars, divided into shares of one hundred dollars each; and said corporation may, by a vote at a meeting called for that purpose, issue coupon or registered bonds to an amount not exceeding in the aggregate the capital stock of said corporation actually paid in at the time; and may mortgage or pledge as security for the payment of such bonds a part or all of its canal, equipment or franchise, or a part or all of its property, real or personal. Such bonds shall be payable at periods not exceeding fifty years from the date thereof, with interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall, except as herein provided, be issued in accordance with sections sixty-two to seventy-three, inclusive, of chapter one hundred and twelve of the Public Statutes, which are hereby made applicable to said corporation. Said corporation may issue stock and bonds in payment for labor performed and material furnished in the construction of a canal as hereinafter provided, and in payment for property acquired for that purpose, and to provide means for funding its floating debt or for the payment of money borrowed for any lawful purpose. Any corporation organized under the laws of this Commonwealth may, upon a vote of a majority of its board of directors present and voting at any meeting called for that purpose, subscribe for the stock or bonds of said company, and pay for the same a sum not exceeding ten per cent of the capital stock of such corporation, or may guarantee the payment of the bonds of said canal company to an amount not exceeding ten per cent of the capital stock of such corporation. All issues of stock and bonds under the provisions of this act shall be subject to the approval and certification of the joint board provided for in section six of this act, in the manner provided in chapter four hundred and sixty-two of the acts of the year eighteen hundred and ninety-four, relative to the issue of stock and bonds by railroad and street railway companies; except

Issues of stock
and bonds to be
subject to ap-
proval, etc.,
of joint board
except, etc.

that, if a contract or contracts shall be entered into by said corporation, by the terms of which capital stock and bonds are to be issued by said corporation in payment for labor to be performed or materials to be furnished in the construction and equipment of said canal, in accordance with the plans as approved by the board of harbor and land commissioners as provided in this act, and such contract or contracts be approved by said joint board, after such advertisement for bids thereunder as shall be satisfactory to said joint board and provided such contract shall be awarded to the lowest bidder, satisfactory to said joint board who gives bonds to the satisfaction of said canal company, said corporation may issue its capital stock and bonds from time to time, pro rata to the labor performed and the materials furnished on the certification by said joint board that such work has been done or such materials furnished and in accordance with the terms of any such contract: *provided, however*, that if any part of the construction of said canal which is included in any contract approved by said joint board be performed by the United States, such construction shall not be reckoned in calculating the amount of work performed, nor shall any stocks or bonds be issued against such construction.

Proviso.

SECTION 2. The board of harbor and land commissioners, the board of railroad commissioners and the joint board as provided in this act, may employ from time to time, as said boards or either of them may deem expedient, an engineer or engineers, who shall be paid from the treasury of the Commonwealth upon the order of said boards reasonable compensation for their services; and said canal company shall reimburse the Commonwealth for the expenditure so made: *provided, however*, that said company shall not be required to pay on account of such expenditure an amount exceeding twenty-five thousand dollars.

Engineers may be employed, etc.

Proviso.

SECTION 3. The supreme judicial court or any justice thereof, in term time or in vacation, shall have jurisdiction in equity to enforce any order of either of said boards, or of said joint board, made under the provisions of said chapter four hundred and forty-eight or of any amendment thereof.

Enforcement of orders.

SECTION 4. Section six of said chapter four hundred and forty-eight is hereby amended by striking out in the

1890, 448, § 6, amended.

Proviso.

dred twenty-eight of the acts of the year eighteen hundred and ninety, and all acts in amendment or addition thereto, not inconsistent with this act, shall apply to and govern the proceedings in connection with the abolition of said crossings, in the same manner as if the decision and report of said commission had been confirmed by the court: *provided, however*, that there shall be filed in the registry of deeds for the county of Bristol a plan signed by the mayor of said city and the engineer of the railroad company, showing the lands and rights specified in said report to be taken; and to take otherwise than by purchase any such lands or rights there shall be recorded in said registry of deeds a statement that the lands and rights specified therein are taken, for highway purposes or for railroad purposes, as the case may be, for the purpose of abolishing said crossings, and the recording of any such statement shall constitute the taking of the lands and rights specified therein. Every such statement shall be signed by the mayor of the city and the engineer of the railroad company.

SECTION 2. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap. 473 AN ACT RELATIVE TO HOUSES OF CORRECTION IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Additions to be made to house of correction at Deer Island, etc.

SECTION 1. The penal institutions commissioner of the city of Boston shall cause to be prepared plans for additions to and new buildings for the house of correction at Deer Island; shall, when said plans have been approved by the commissioners of prisons and the mayor of the city, contract, in behalf of the city of Boston, for the construction of said buildings or additions; and shall, when said new buildings or additions are sufficiently advanced therefor, remove all the prisoners from the house of correction at South Boston to the house of correction at Deer Island. After said removal the land and buildings at South Boston shall no longer be used for a house of correction. The mayor of the city of Boston may sell the lot of land in South Boston on which the house of correction is located, or such part of said land as he shall deem proper, and in case such sale is made the proceeds thereof shall be used for the payment of expenses incurred in carrying out the provisions of this act, or for the payment of any bonds

Land in South Boston may be sold, etc.

issued for the purpose of carrying out said provisions. The possession of said land shall be given when the prisoners shall be removed from the house of correction.

SECTION 2. Said new buildings and additions shall contain such suitable cells and rooms as shall be deemed requisite for the proper care and treatment of the inmates, and shall be so constructed that with the other buildings on said island arrangements can be made for the classification of the prisoners, complete separation of prisoners sentenced for a term of one year or more from those sentenced for a less term than one year, complete separation of female prisoners from male prisoners, complete separation of male prisoners sentenced for drunkenness from other prisoners, separate cells for male prisoners held for non-payment of fines, so that no such prisoner shall come in contact with any other prisoner, schools and manual training for the prisoners.

Construction of new buildings, etc.

SECTION 3. The sheriff of the county of Suffolk shall prepare plans for additions to or new buildings for the Suffolk county jail, so as to provide cells for female prisoners and such other cells and rooms as shall be deemed requisite for the proper care and treatment of the inmates of said jail; and after said plans have been approved by the commissioners of prisons and the mayor, said sheriff shall, in behalf of the city, contract for the erection of such buildings or additions.

Additions to be made to Suffolk county jail, etc.

SECTION 4. This act shall take effect upon its passage.

Approved July 17, 1900.

AN ACT RELATIVE TO THE MASSACHUSETTS HIGHWAY COMMISSION. *Chap. 474*
Be it enacted, etc., as follows:

SECTION 1. The governor with the advice and consent of the council shall, on or before the first day of January in the year nineteen hundred and one, appoint three competent persons, one to be designated as chairman, to serve as the Massachusetts Highway Commission. Their terms of office shall be so arranged and designated at the time of their appointment that the term of one member shall expire in three years, one in two years and one in one year. The full term of office thereafter shall be for three years, and all vacancies occurring shall be filled by the governor, with the advice and consent of the council. The members of said board may be removed by the governor, with the

Massachusetts Highway Commission, appointment, terms, etc.

Compensation,
etc.

Engineers,
clerks, etc.

1893, 476, § 1,
repealed, etc.

When to take
effect.

advice and consent of the council, for such cause as he shall deem sufficient and shall express in the order of removal. The chairman shall receive an annual salary of thirty-five hundred dollars, and each of the other members shall receive an annual salary of twenty-five hundred dollars, in full compensation for their services, payable in equal monthly instalments. They shall be allowed their travelling expenses, and shall devote their time to the business of the commission. They may expend annually for clerk hire, engineers and for defraying the expenses incidental to and necessary for the performance of their duties such sum as the legislature shall appropriate. They shall be provided with an office in the state house, or in some other suitable place in the city of Boston, in which the records of their office shall be kept. They may establish rules and regulations for the conduct of business and for carrying out the provisions of this act.

SECTION 2. Section one of chapter four hundred and seventy-six of the acts of the year eighteen hundred and ninety-three is hereby repealed and the term of office of the members of the Massachusetts highway commission appointed under said section shall terminate upon the appointment of their successors, in accordance with the provisions of this act.

SECTION 3. So much of section one of this act as authorizes the appointment of the members of said Massachusetts highway commission shall take effect upon its passage; and the remainder of this act shall take effect on the first day of January in the year nineteen hundred and one.

Approved July 17, 1900.

Chap. 475 AN ACT TO AUTHORIZE THE MASSACHUSETTS HIGHWAY COMMISSION TO ALTER LOCATIONS.

Be it enacted, etc., as follows:

Massachusetts
highway com-
mission may
alter locations
for state high-
ways, etc.

SECTION 1. The Massachusetts highway commission, with the concurrence of the mayor and board of aldermen of a city or of the selectmen of a town, may alter any location made by it for a state highway in any city or town, by filing a plan thereof in the office of the county commissioners, together with a certificate that said commission has laid out and taken charge of said highway as changed or altered in accordance with said plan, and by filing a copy of the plan or location as changed, in the

office of the clerk of said city or town as required by law in the filing of original locations. Any damages sustained by any person whose property is taken for or injured by the construction of any such highway shall be recovered in the same manner as provided by law for the recovery of damages upon an original taking by said commission. Damages.

SECTION 2. Said commission, with such concurrence, may by deed executed, acknowledged and recorded according to the laws of the Commonwealth, accompanied by a plan of survey also to be recorded with such deed, abandon any portion of the land or rights in land in any city or town taken or acquired by it, and said abandonment shall revert the title thereof as if never taken, in the persons, their heirs and assigns, in whom it was vested at the time of the taking. The said abandonment may be pleaded in reduction of damages in any suit therefor on account of such taking. Certain land, etc., may be abandoned.

SECTION 3. This act shall take effect upon its passage.

Approved July 17, 1900.

AN ACT RELATIVE TO THE BOSTON, CAPE COD AND NEW YORK CANAL COMPANY. Chap. 476

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter four hundred and forty-eight of the acts of the year eighteen hundred and ninety-nine is hereby amended by adding at the end of said section the words:—except that, if a contract or contracts shall be entered into by said corporation, by the terms of which capital stock and bonds are to be issued by said corporation in payment for labor to be performed or materials to be furnished in the construction and equipment of said canal, in accordance with the plans as approved by the board of harbor and land commissioners as provided in this act, and such contract or contracts be approved by said joint board, after such advertisement for bids thereunder as shall be satisfactory to said joint board and provided such contract shall be awarded to the lowest bidder, satisfactory to said joint board who gives bonds to the satisfaction of said canal company, said corporation may issue its capital stock and bonds from time to time, pro rata to the labor performed and the materials furnished on the certification by said joint board that such work has been done or such materials furnished and in accordance 1899, 448, § 2, amended.

Capital stock
and bonds.

with the terms of any such contract: *provided, however*, that if any part of the construction of said canal which is included in any contract approved by said joint board be performed by the United States, such construction shall not be reckoned in calculating the amount of work performed, nor shall any stocks or bonds be issued against such construction, — so as to read as follows: — *Section 2.* The capital stock of said corporation shall be six million dollars, divided into shares of one hundred dollars each; and said corporation may, by a vote at a meeting called for that purpose, issue coupon or registered bonds to an amount not exceeding in the aggregate the capital stock of said corporation actually paid in at the time; and may mortgage or pledge as security for the payment of such bonds a part or all of its canal, equipment or franchise, or a part or all of its property, real or personal. Such bonds shall be payable at periods not exceeding fifty years from the date thereof, with interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall, except as herein provided, be issued in accordance with sections sixty-two to seventy-three, inclusive, of chapter one hundred and twelve of the Public Statutes, which are hereby made applicable to said corporation. Said corporation may issue stock and bonds in payment for labor performed and material furnished in the construction of a canal as hereinafter provided, and in payment for property acquired for that purpose, and to provide means for funding its floating debt or for the payment of money borrowed for any lawful purpose. Any corporation organized under the laws of this Commonwealth may, upon a vote of a majority of its board of directors present and voting at any meeting called for that purpose, subscribe for the stock or bonds of said company, and pay for the same a sum not exceeding ten per cent of the capital stock of such corporation, or may guarantee the payment of the bonds of said canal company to an amount not exceeding ten per cent of the capital stock of such corporation. All issues of stock and bonds under the provisions of this act shall be subject to the approval and certification of the joint board provided for in section six of this act, in the manner provided in chapter four hundred and sixty-two of the acts of the year eighteen hundred and ninety-four, relative to the issue of stock and bonds by railroad and street railway companies; except

Issues of stock
and bonds to be
subject to ap-
proval, etc.,
of joint board
except, etc.

that, if a contract or contracts shall be entered into by said corporation, by the terms of which capital stock and bonds are to be issued by said corporation in payment for labor to be performed or materials to be furnished in the construction and equipment of said canal, in accordance with the plans as approved by the board of harbor and land commissioners as provided in this act, and such contract or contracts be approved by said joint board, after such advertisement for bids thereunder as shall be satisfactory to said joint board and provided such contract shall be awarded to the lowest bidder, satisfactory to said joint board who gives bonds to the satisfaction of said canal company, said corporation may issue its capital stock and bonds from time to time, pro rata to the labor performed and the materials furnished on the certification by said joint board that such work has been done or such materials furnished and in accordance with the terms of any such contract: *provided, however*, that if any part of the construction of said canal which is included in any contract approved by said joint board be performed by the United States, such construction shall not be reckoned in calculating the amount of work performed, nor shall any stocks or bonds be issued against such construction. Proviso.

SECTION 2. The board of harbor and land commissioners, the board of railroad commissioners and the joint board as provided in this act, may employ from time to time, as said boards or either of them may deem expedient, an engineer or engineers, who shall be paid from the treasury of the Commonwealth upon the order of said boards reasonable compensation for their services; and said canal company shall reimburse the Commonwealth for the expenditure so made: *provided, however*, that said company shall not be required to pay on account of such expenditure an amount exceeding twenty-five thousand dollars. Engineers may be employed, etc.
Proviso.

SECTION 3. The supreme judicial court or any justice thereof, in term time or in vacation, shall have jurisdiction in equity to enforce any order of either of said boards, or of said joint board, made under the provisions of said chapter four hundred and forty-eight or of any amendment thereof. Enforcement of orders.

SECTION 4. Section six of said chapter four hundred and forty-eight is hereby amended by striking out in the 1899, 448, § 6, amended.

last two lines of said section the words “and the supreme judicial court shall have jurisdiction in equity to enforce such orders.”

Commonwealth
may purchase
canal, etc.

SECTION 5. The Commonwealth may, in accordance with the provisions of section seven of chapter one hundred and twelve of the Public Statutes, purchase of the Boston, Cape Cod and New York Canal Company its canal and all its franchise, property, rights and privileges, by paying therefor such sum as will reimburse to it the amount of capital paid in, with a net profit thereon of ten per cent a year from the times of the payment thereof by the stockholders of said company, to the time of the purchase.

SECTION 6. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap. 477 AN ACT TO INCORPORATE THE NEW ENGLAND COTTON YARN COMPANY.

Be it enacted, etc., as follows:

New England
Cotton Yarn
Company in-
corporated.

SECTION 1. Frank G. Webster, Frank W. Remick, Lawrence A. Ford, Harry G. Beyer, Albert F. Hayden, Edward J. Holmes, John E. Whitcomb and Thomas W. Mackinney, their associates and successors, are hereby made a corporation by the name of the New England Cotton Yarn Company, for the purpose of carrying on the purchase, manufacture and sale of cotton, wool, silk, linen, flax, hemp, jute and all other fibrous substances, and all products thereof, and of all supplies, materials and implements for use in the mills of said corporation, and with power to acquire the property of any person, persons or corporations, in connection with carrying out any of the purposes hereinbefore set forth; and for this purpose shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force relating to such corporations, except as otherwise expressly provided herein.

Capital stock.

SECTION 2. The amount of the capital stock of said corporation shall be fixed and limited by the corporation at one million dollars, and said corporation shall not begin business until the whole amount of its capital stock has been paid in.

Preferred and
common stock.

SECTION 3. The capital stock of said corporation shall be divided into shares of preferred stock and shares of

common stock in such proportions as the corporation may determine, except that the number of shares of preferred stock shall not exceed the number of shares of common stock, the par value of both classes of stock to be one hundred dollars for each share.

SECTION 4. The capital stock of said corporation may from time to time be increased above or reduced below the amount provided for by section two, as provided by the general laws of the Commonwealth relating to such corporations: *provided, however*, that upon such increase of capital, shares of preferred and of common stock of said corporation as authorized by the provisions of this act, may be issued in such proportions as the stockholders in voting for such increase may determine, in accordance with section three hereof. Any such increase of capital stock shall be paid in either in cash or by a conveyance of property at a fair valuation, as provided in and subject to the provisions of section forty-eight of chapter one hundred and six of the Public Statutes.

Capital stock may be increased or reduced.

Proviso.

SECTION 5. The holders of said preferred stock shall be entitled to receive, out of the net profits of the corporation, semi-annual dividends of three and one half per cent, being at the rate of seven per cent per annum, which dividends shall be paid or provided for in each period of six months before any dividends shall be set apart or paid upon the common stock; said dividends on the preferred stock to be cumulative, but without interest on deferred payments. Holders of the said preferred stock shall be entitled to all the privileges of common stockholders.

Holders of preferred stock to be entitled to certain dividends, etc.

SECTION 6. In case of the liquidation, dissolution or other termination of said corporation the holders of said preferred stock shall be entitled to payment of the par value of their shares, together with the amount of accrued and unpaid dividends, if any, before any payments are made to the holders of the common stock. After the holders of the preferred stock have received the full amount of the par value of their shares and accrued and unpaid dividends thereon, the remaining assets shall be divided equally among the holders of the common stock.

Division of assets in case of termination of corporation.

SECTION 7. Each certificate of stock shall have printed on its face the substance of sections four, five and six of this act.

Certain sections to be printed on certificates of stock.

SECTION 8. This act shall take effect upon its passage.

Approved July 17, 1900.

Chap. 478 AN ACT RELATIVE TO LAYING OUT AND CONSTRUCTING HIGHWAYS
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Construction,
etc., of certain
highways, etc.,
in Boston.

SECTION 1. The city of Boston may, during the current year, by an affirmative vote of two thirds of all the members of each branch of its city council, taken by a call of the yeas and nays, appropriate money to construct highways in said city heretofore laid out, altered or widened, and the money so appropriated shall be used for constructing said highways and the laying of sewerage works therein, and the expense thereof shall be assessed and collected under the provisions of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, and of acts in amendment thereof or in addition thereto. Said appropriation shall be met by bonds of said city issued within the debt limit by the city treasurer from time to time on the request of the mayor.

1901, 323, § 14,
etc., amended.

SECTION 2. Section fourteen of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, as amended by section one of chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-nine, is hereby amended by inserting after the word "roadways", in line thirteen of said section fourteen as amended, the word: — sewers.

1907, 426, § 1,
etc., amended.

SECTION 3. Section one of chapter four hundred and twenty-six of the acts of the year eighteen hundred and ninety-seven, as amended by section one of chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-nine, is amended by inserting after the word "act", in the last line but one of said section as amended, the words: — or of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment of or in addition to said acts or either of them.

Repeal.

SECTION 4. Section eight of said chapter four hundred and twenty-six is hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved July 17, 1900.

**AN ACT IN FURTHER ADDITION TO AN ACT MAKING APPROPRIATIONS
FOR EXPENSES AUTHORIZED DURING THE PRESENT YEAR, AND
FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.** *Chap. 479*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified in certain acts and resolves of the present year,
and for certain other expenses authorized by law, to wit : —

For an examination and report by the board of harbor Examination,
and land commissioners as to the anchorage of vessels in etc., by harbor
Boston harbor, as authorized by chapter ninety-seven of and land com-
missioners as to
the resolves of the present year, a sum not exceeding anchorage of
vessels in Bos-
ton harbor.

For expenses in connection with the consideration and Report, etc.,
report upon the expediency of constructing and equipping upon expedi-
a new building for the use of the Massachusetts state ency of con-
sanatorium, as authorized by chapter ninety-eight of structing, etc.,
the resolves of the present year, a sum not exceeding five a new building
hundred dollars. for use of Mas-
sachusetts state
sanatorium.

For the protection of the town of Hadley against the Protection of
further encroachment of the Connecticut river, as author- town of Hadley
ized by chapter one hundred of the resolves of the present against en-
year, a sum not exceeding fifteen thousand dollars. croachment of
Connecticut
river.

For the instruction in riding of the mounted militia, as Instruction in
authorized by chapter one hundred and one of the resolves riding of
of the present year, a sum not exceeding fifty-one mounted
hundred and twenty dollars. militia.

To provide for the payment of certain cash allowances Rifle and car-
for rifle and carbine qualifications and requalifications bine qualifica-
in the militia, as authorized by chapter one hundred and two tions, etc., in
of the resolves of the present year, a sum not exceeding militia.
fifteen hundred dollars.

For Ellen M. Wrightington, as authorized by chapter Ellen M.
one hundred and three of the resolves of the present year, Wrightington.
the sum of sixteen hundred ninety-three dollars and fifty-
five cents.

For the Pan-American exposition, to be held in the Pan-American
city of Buffalo in the state of New York, as authorized by exposition.
chapter one hundred and four of the resolves of the pres-
ent year, a sum not exceeding ten thousand dollars.

For rent of rooms outside the state house for the use Rent of rooms
of the Massachusetts highway commission, the controller for certain
offices, commis-
sions, etc.

Instruction of adult blind.	<p>of county accounts, the cattle commissioners, and a commission to complete the publication of the provincial laws, a sum not exceeding three thousand dollars, the same to be expended under the direction of the sergeant-at-arms.</p> <p>For the instruction of the adult blind at their homes, as authorized by chapter four hundred and thirty of the acts of the present year, a sum not exceeding one thousand dollars.</p>
Building break-water, etc., in Scituate.	<p>For building jetties, breakwaters, sea walls and other structures in the town of Scituate, as authorized by chapter four hundred and thirty-four of the acts of the present year, a sum not exceeding fifteen thousand dollars.</p>
Expenses of committees of legislature.	<p>For authorized expenses of committees of the present legislature, to include clerical assistance to committees authorized to employ the same, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.</p>
State colony for the insane.	<p>For acquiring land, buildings and chattels for the use of the state colony for the insane, as authorized by chapter four hundred and fifty-one of the acts of the present year, a sum not exceeding twenty-five thousand dollars; and for repairs of such buildings as may be acquired, for the construction of new buildings, and for the care and maintenance of the colony, a sum not exceeding fifty thousand dollars.</p>
Expenses of gypsy moth commission.	<p>For the payment of such bills as have accrued in connection with the work of the gypsy moth commission since May first of the present year, and for such expenses as may be necessary in closing up the work, disposing of the property and protecting such of the machinery and other property as cannot readily be disposed of, a sum not exceeding one thousand dollars.</p>
First assistant inspector of gas meters.	<p>For the salary of the first assistant inspector of gas meters, as authorized by chapter four hundred and fifty-nine of the acts of the present year, a sum not exceeding six hundred eighty-seven dollars and fifty cents.</p>
Second assistant inspector of gas meters.	<p>The twelve hundred dollars provided by chapter twenty-nine of the acts of the present year for the salary of the assistant inspector of gas meters is hereby made applicable for the payment of the salary of the second assistant inspector of gas meters, provided for by chapter four hundred and fifty-nine of the acts of the present year.</p>
Travelling expenses.	<p>For travelling expenses of the inspector and assistant inspectors of gas meters, as provided for by chapter four</p>

hundred fifty-nine of the acts of the present year, a sum not exceeding six hundred and fifty dollars.

For rent, apparatus, chemicals and general office expenses of the inspector of gas meters, as authorized by chapter four hundred and fifty-nine of the acts of the present year, a sum not exceeding seven hundred dollars, the same to be in addition to the amounts heretofore authorized for travelling and incidental expenses and for additional apparatus in chapter twenty-nine of the acts of the present year.

Office expenses, etc.

For additional clerical assistance in the office of the clerk of the house of representatives, as authorized by chapter one hundred and six of the resolves of the present year, the sum of two hundred and fifty dollars.

Clerical assistance in office of clerk of house.

For expenses in connection with placing permanently in the Memorial Hall of the state house the battle flags of Massachusetts organizations who served in the war with Spain, as authorized by chapter twenty-two of the resolves of the year eighteen hundred and ninety-nine, a sum not exceeding three thousand dollars.

Placing in Memorial Hall of battle flags of Massachusetts organizations who served in war with Spain.

For compensation of doorkeepers, messengers, postmaster and pages of the present legislature, as authorized by chapter one hundred and seven of the resolves of the present year, the sum of thirty-three hundred and seventy dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Doorkeepers, messengers, etc.

For Edward J. Donovan, as authorized by chapter one hundred and eight of the resolves of the present year, the sum of one hundred eighty-seven dollars and fifty cents.

Edward J. Donovan.

For compensation of engineers and such other expenses as may be necessary under the provisions of section two of chapter four hundred and seventy-six of the acts of the present year, a sum not exceeding twenty-five thousand dollars.

Expenses under provisions of section 2, chapter 476, Acts of 1900.

SECTION 2. This act shall take effect upon its passage.

Approved July 17, 1900.

RESOLVES.

Chap. 1 RESOLVE RELATIVE TO THE PUBLICATION OF THE BULLETIN OF COMMITTEE HEARINGS.

Certain bills to be approved by sergeant-at-arms.

Resolved, That all bills contracted under the order authorizing the joint committee on rules to publish a bulletin of committee hearings and of matters before committees shall be paid on approval of the sergeant-at-arms.

Approved January 31, 1900.

Chap. 2 RESOLVE RELATIVE TO COMPILING, INDEXING AND PUBLISHING THE RECORDS OF THE MASSACHUSETTS TROOPS WHO SERVED IN THE REVOLUTIONARY WAR.

Revolutionary war records.

Resolved, That the secretary of the Commonwealth is hereby authorized and directed to continue the preparation and publication of an indexed compilation of the records of the Massachusetts soldiers and sailors who served in the army and navy during the revolutionary war, as shown by the archives in the office of the secretary of the Commonwealth, and he may expend therefor a sum not exceeding three thousand dollars.

Approved February 2, 1900.

Chap. 3 RESOLVE TO PROVIDE FOR ADDITIONAL CLERICAL ASSISTANCE IN THE OFFICE OF THE TREASURER AND RECEIVER GENERAL.

Preservation of old vouchers, etc., in treasury department.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five hundred dollars, to be expended under the direction of the treasurer and receiver general in classifying and preserving the old vouchers and papers in the treasury department.

Approved February 2, 1900.

Chap. 4 RESOLVE TO CONFIRM AN ACT OF THE STREET COMMISSIONERS OF THE CITY OF BOSTON.

Certain grant made by city of Boston confirmed.

Resolved, That the grant made by the city of Boston by its street commissioners to Nathaniel Hathaway of Southold in the state of New York, and Anna H. Swift of Dart-

mouth in the county of Bristol and Commonwealth of Massachusetts, their heirs, executors, administrators and assigns, of a perpetual license, irrevocable and running with the land, to maintain upon Summer street in the city of Boston the foundations of a building or buildings, in pursuance of the terms of a certain contract by and between Francis Hathaway and Thomas F. Richardson and the New England Railroad Company, recorded in the Suffolk registry of deeds, book 1825, page 228, is hereby confirmed and made valid; said grant being dated December 19, 1899, and recorded in Suffolk registry of deeds, book 2653, page 106.

Approved February 2, 1900.

RESOLVE TO CONFIRM THE ACTS OF WILLIAM P. HALE AS A JUSTICE *Chap. 5*
OF THE PEACE.

Resolved, That all the acts of William P. Hale of Belmont as a justice of the peace, between the fifteenth day of December in the year eighteen hundred and ninety-eight and the twenty-seventh day of December in the year eighteen hundred and ninety-nine, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of William P. Hale as a justice of the peace confirmed.

Approved February 13, 1900.

RESOLVE TO CONFIRM THE ACTS OF JAMES D. STALL OF CHESTER- *Chap. 6*
FIELD AS A JUSTICE OF THE PEACE.

Resolved, That all the acts of James D. Stall of Chesterfield as a justice of the peace, between the sixteenth day of April and the sixteenth day of October in the year eighteen hundred and ninety-nine, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of James D. Stall as a justice of the peace confirmed.

Approved February 14, 1900.

RESOLVE TO CONFIRM THE ACTS OF CHARLES W. WHITTIER AS A *Chap. 7*
JUSTICE OF THE PEACE.

Resolved, That all acts done by Charles W. Whittier of Boston as a justice of the peace, between the twenty-sixth day of March in the year eighteen hundred and ninety-six and the twenty-ninth day of June in the year eighteen hundred and ninety-nine, are hereby confirmed and made valid, to the same extent as though he had been during that time qualified to discharge the duties of said office.

Acts of Charles W. Whittier as a justice of the peace confirmed.

Approved February 14, 1900.

Chap. 8 RESOLVE TO PROVIDE FOR THE COMPLETION OF CERTAIN IMPROVEMENTS AT THE DANVERS INSANE HOSPITAL.

Completion of certain improvements at Danvers insane hospital.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirteen thousand five hundred dollars, to be expended at the Danvers insane hospital under the direction of the trustees of said institution, for the completion of the new boilers, for setting and piping the same, and for completing the electric light plant and the room or rooms in which it is established, so as to furnish heat, power and light for said institution.

Approved February 14, 1900.

Chap. 9 RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE SPECIAL REPORT OF THE STATE BOARD OF INSANITY.

Additional copies of special report of board of insanity.

Resolved, That there be printed one thousand additional copies of the special report of the board of insanity relative to the support of the insane poor.

Approved February 14, 1900.

Chap. 10 RESOLVE IN FAVOR OF THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY.

Massachusetts Charitable Eye and Ear Infirmary.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Massachusetts Charitable Eye and Ear Infirmary the sum of twenty-five thousand dollars, to be expended under the direction of the managers thereof for the charitable purposes of said infirmary during the present year.

Approved February 27, 1900.

Chap. 11 RESOLVE TO PROVIDE FOR PRINTING ONE THOUSAND ADDITIONAL COPIES OF A PART OF THE REPORT OF THE BOARD OF COMMISSIONERS OF SAVINGS BANKS.

Additional copies of part of report of commissioners of savings banks.

Resolved, That one thousand additional copies of the report of the board of commissioners of savings banks, omitting the abstract of returns, be printed in pamphlet form for the use of the board. *Approved March 1, 1900.*

Chap. 12 RESOLVE TO AUTHORIZE THE TREASURER AND RECEIVER GENERAL TO BORROW MONEY IN ANTICIPATION OF REVENUE.

Treasurer may borrow money in anticipation of revenue.

Resolved, That the treasurer and receiver general is hereby authorized to borrow, in anticipation of the receipts of the present year, such sums of money as may from time to time be necessary for the payment of ordi-

nary demands on the treasury, at any time before the expiration of fifteen days after the meeting of the next general court, at such rates of interest as shall be found necessary; and that he shall repay any sums borrowed under this resolve as soon as money sufficient for the purpose, and not otherwise appropriated, is received into the treasury.

Approved March 1, 1900.

RESOLVE TO PROVIDE FOR THE PRESERVATION OF THE WAR RECORDS
IN THE OFFICE OF THE ADJUTANT GENERAL.

Chap. 13

*Preservation of
war records.*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five hundred dollars, to be expended under the direction of the adjutant general for preserving war records worn by age and use, said sum to be in addition to any unexpended part of the amount authorized to be expended for such purpose by chapter three of the resolves of the year eighteen hundred and ninety-nine.

Approved March 7, 1900.

RESOLVE TO CONFIRM THE ACTS OF JAMES E. LEACH AS A JUSTICE
OF THE PEACE.

Chap. 14

*Acts of James
E. Leach as a
justice of the
peace con-
firmed.*

Resolved, That all the acts of James E. Leach of Boston as a justice of the peace, between the tenth day of November in the year eighteen hundred and ninety-nine and the first day of January in the year nineteen hundred, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of said office.

Approved March 7, 1900.

RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE RE-
PORT OF THE COMMISSIONERS ON THE MASSACHUSETTS AND VERMONT
BOUNDARY LINE.

Chap. 15

*Additional
copies of report
on Massachu-
setts and Ver-
mont boundary
line.*

Resolved, That one hundred additional copies of the report of the Massachusetts commissioners on the Massachusetts and Vermont boundary line be printed and bound in cloth for the use of the commissioners.

Approved March 7, 1900.

RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE DANVERS
INSANE HOSPITAL.

Chap. 16

*Improvements
at Danvers
insane hospital.*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding six thousand seven hundred dollars, to be expended at the

Danvers insane hospital under the direction of the trustees thereof, for the following purposes : — To extend the connection of the watchman's clock to the new building, a sum not exceeding five hundred dollars ; to provide slate shelves in the dining room and tiles in the bath room, a sum not exceeding twelve hundred dollars ; and to renew the plumbing in the hospital buildings, a sum not exceeding five thousand dollars.

Approved March 7, 1900.

Chap. 17 RESOLVE TO AUTHORIZE THE APPOINTMENT OF A COMMISSION TO FIX THE POSITIONS OCCUPIED BY MASSACHUSETTS TROOPS AT THE SIEGE OF VICKSBURG.

Commission to fix position occupied by Massachusetts troops at siege of Vicksburg.

Resolved, That the governor of the Commonwealth is hereby authorized to appoint a commission of three persons, each of whom shall have served with honor at the siege of Vicksburg, one with the twenty-ninth, one with the thirty-fifth and one with the thirty-sixth Massachusetts volunteer infantry. Said commissioners shall co-operate with the national park commission in fixing the position of each Massachusetts organization at the siege of Vicksburg, and shall recommend to the governor such legislation as they may deem proper for permanently marking the said positions and for commemorating the valor and faithfulness of Massachusetts troops in the campaign and siege of Vicksburg. The commission shall report to the governor on or before the fifteenth day of January in the year nineteen hundred and one. They shall serve without pay but there may be allowed and paid out of the treasury of the Commonwealth a sum not exceeding six hundred dollars for their necessary travelling expenses, the bills for which shall be approved by the governor before being presented to the auditor for payment.

Approved March 7, 1900.

Chap. 18 RESOLVE TO PROVIDE FOR ADDITIONAL CLERICAL ASSISTANCE IN THE OFFICE OF THE TAX COMMISSIONER.

Clerical assistance in office of tax commissioner.

Resolved, That the tax commissioner may expend for additional clerical assistance during the present year a sum not exceeding two thousand dollars.

Approved March 9, 1900.

Chap. 19 RESOLVE TO PROVIDE FOR CERTAIN REPAIRS TO THE TRAINING SHIP ENTERPRISE.

Repairs to training ship Enterprise.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fifteen

thousand dollars, for necessary repairs to the upper works of the training ship Enterprise, and for a new smokestack, new bilge and donkey engine feed pipes for the said ship.

Approved March 13, 1900.

RESOLVE IN FAVOR OF THE TRUSTEES OF THE SOLDIERS' HOME IN MASSACHUSETTS.

Chap. 20

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Trustees of the Soldiers' Home in Massachusetts the sum of thirty thousand dollars, for the maintenance of a home for deserving veteran soldiers and sailors.

Trustees of
Soldiers' Home
in Massachu-
setts.

Approved March 14, 1900.

RESOLVE IN FAVOR OF THE BERKSHIRE AGRICULTURAL SOCIETY.

Chap. 21

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Berkshire Agricultural Society the sum of five hundred twenty-nine dollars and twenty-five cents, being the amount of unpaid premiums of the year eighteen hundred and ninety-eight which have been paid by the society since the first day of January in the year eighteen hundred and ninety-nine, said sum having been deducted from the bounty which under the provisions of law was paid to the society for the year eighteen hundred and ninety-eight.

Berkshire
Agricultural
Society.

Approved March 21, 1900.

RESOLVE TO AUTHORIZE ADVANCES OF MONEY TO THE BOARD OF PARIS EXPOSITION MANAGERS.

Chap. 22

Resolved, That, with the approval of the governor and council, there be advanced from time to time to the board of Paris exposition managers, from the sum authorized by chapter ninety-three of the resolves of the year eighteen hundred and ninety-nine, such sums of money as may be necessary for the expenses of the board in installing exhibits of the Commonwealth in Paris, such advances to be accounted for by properly approved vouchers.

Advances of
money to board
of Paris expo-
sition managers.

Approved March 21, 1900.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BARNSTABLE.

Chap. 23

Resolved, That the following sums are hereby appropriated for the expenses of the county of Barnstable for the year nineteen hundred:—

County tax,
Barnstable.

For interest on county debt, a sum not exceeding eight hundred dollars.

County tax,
Berkshire.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 21, 1900.

Chap. 25 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF DUKES COUNTY.

County tax,
Dukes County.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Dukes County for the year nineteen hundred : —

For interest on county debt, a sum not exceeding three hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding eight hundred dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding two thousand two hundred dollars.

For clerical assistance in county offices, a sum not exceeding three hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eight hundred dollars.

For criminal costs in the superior court, a sum not exceeding two hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding nine hundred dollars.

For transportation expenses of county and special commissioners, a sum not exceeding fifty dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding one hundred dollars.

For auditors, masters and referees, a sum not exceeding one hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding two hundred and fifty dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding five hundred dollars.

For highways, bridges and land damages, a sum not exceeding three thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding five hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of nine thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved March 21, 1900.*

County tax,
Dukes County.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPSHIRE. *Chap. 26*

Resolved, That the following sums are hereby appropriated for the expenses of the county of Hampshire for the year nineteen hundred: —

County tax,
Hampshire.

For interest on county debt, a sum not exceeding four thousand dollars.

For reduction of county debt, a sum not exceeding eight thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding seven thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding three thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding seven thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ten thousand dollars.

For criminal costs in the superior court, a sum not exceeding five thousand five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding five thousand three hundred dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand four hundred dollars.

For auditors, masters and referees, a sum not exceeding five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding two thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding four thousand three hundred dollars.

County tax,
Hampshire.

For highways, including state highways, bridges and land damages, a sum not exceeding nine thousand five hundred dollars.

For law libraries, a sum not exceeding one thousand dollars.

For truant schools, a sum not exceeding five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of sixty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved March 21, 1900.*

Chap. 27 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BRISTOL.

County tax,
Bristol.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Bristol for the year nineteen hundred : —

For interest on county debt, a sum not exceeding fifty-two thousand dollars.

For reduction of county debt, a sum not exceeding sixty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-two thousand dollars.

For clerical assistance in county offices, a sum not exceeding twelve thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-four thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-five thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty-one thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding sixteen thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding six hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding six thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand five hundred dollars.

For building county buildings, a sum not exceeding County tax, Bristol. eighteen thousand dollars, three thousand dollars to be expended upon the county court house on County street in New Bedford.

For repairing, furnishing and improving county buildings, a sum not exceeding thirty-three thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding eighteen thousand four hundred dollars.

For highways, bridges and land damages, a sum not exceeding twelve thousand dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, a sum not exceeding five thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and ninety-four thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

[RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF ESSEX.

Chap. 28

Resolved, That the following sums are hereby appropriated for the expenses of the county of Essex for the year nineteen hundred : —

County tax, Essex.

For interest on county debt, a sum not exceeding three thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-seven thousand dollars.

For clerical assistance in county offices, a sum not exceeding fifteen thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding forty-one thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty-six thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty-six thousand dollars.

County tax,
Hampshire.

For highways, including state highways, bridges and land damages, a sum not exceeding nine thousand five hundred dollars.

For law libraries, a sum not exceeding one thousand dollars.

For truant schools, a sum not exceeding five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of sixty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved March 21, 1900.*

Chap. 27 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BRISTOL.
County tax,
Bristol.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Bristol for the year nineteen hundred : —

For interest on county debt, a sum not exceeding fifty-two thousand dollars.

For reduction of county debt, a sum not exceeding sixty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-two thousand dollars.

For clerical assistance in county offices, a sum not exceeding twelve thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-four thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-five thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty-one thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding sixteen thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding six hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding six thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding fifteen thousand dollars. County tax, Hampden.

For salaries and expenses of district and police courts, a sum not exceeding twenty-three thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-six thousand dollars.

For criminal costs in the superior court, a sum not exceeding five thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding nine thousand five hundred dollars.

For highways, bridges and land damages, a sum not exceeding twelve thousand dollars.

For law libraries, a sum not exceeding two thousand five hundred dollars.

For truant schools, a sum not exceeding six thousand two hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and forty-four thousand five hundred eighty-one dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF FRANKLIN.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Franklin for the year nineteen hundred : —

For interest on county debt, a sum not exceeding three thousand dollars.

Chap. 30

County tax,
Franklin.

County tax,
Essex.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty-two thousand dollars.

For trial justices, a sum not exceeding six thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred and fifty dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars.

For auditors, masters and referees, a sum not exceeding six thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding eleven thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding fourteen thousand dollars.

For highways, bridges and land damages, a sum not exceeding thirty-one thousand dollars.

For law libraries, a sum not exceeding one thousand dollars.

For truant schools, a sum not exceeding ten thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and twenty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

Chap. 29 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPDEN.

County tax,
Hampden.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Hampden for the year nineteen hundred : —

For interest on county debt, a sum not exceeding twelve thousand dollars.

For reduction of county debt, a sum not exceeding thirty-five thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding fifteen thousand dollars. County tax, Hampden.

For salaries and expenses of district and police courts, a sum not exceeding twenty-three thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-six thousand dollars.

For criminal costs in the superior court, a sum not exceeding five thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding nine thousand five hundred dollars.

For highways, bridges and land damages, a sum not exceeding twelve thousand dollars.

For law libraries, a sum not exceeding two thousand five hundred dollars.

For truant schools, a sum not exceeding six thousand two hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and forty-four thousand five hundred eighty-one dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF FRANKLIN.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Franklin for the year nineteen hundred : —

For interest on county debt, a sum not exceeding three thousand dollars.

Chap. 30

County tax,
Franklin.

County tax,
Franklin.

For salaries of county officers and assistants, fixed by law, a sum not exceeding six thousand three hundred dollars.

For clerical assistance in county offices, a sum not exceeding three thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding six thousand five hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seven thousand five hundred dollars.

For criminal costs in the superior court, a sum not exceeding four thousand five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding six thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding nine hundred dollars.

For auditors, masters and referees, a sum not exceeding one thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding three thousand dollars.

For highways, bridges and land damages, a sum not exceeding eighteen thousand five hundred dollars.

For law libraries, a sum not exceeding one thousand dollars.

For truant schools, a sum not exceeding three hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand five hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of fifty-five thousand eight hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF MIDDLESEX. *Chap. 31*County tax,
Middlesex.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Middlesex for the year nineteen hundred : —

For interest on county debt, a sum not exceeding forty-seven thousand dollars.

For reduction of county debt, a sum not exceeding fifty-one thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-four thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding sixty-one thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding seventy-three thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred and twenty-four thousand dollars.

For criminal costs in the superior court, a sum not exceeding thirty thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty-five thousand dollars.

For trial justices, a sum not exceeding three thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding six hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars.

For auditors, masters and referees, a sum not exceeding six thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding twenty-seven thousand five hundred dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding forty thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding thirty thousand dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, a sum not exceeding eighteen thousand dollars.

County tax,
Middlesex.

For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred and eighty-two thousand one hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

Chap. 32 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF PLYMOUTH.

County tax,
Plymouth.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Plymouth for the year nineteen hundred : —

For interest on county debt, a sum not exceeding three thousand five hundred dollars.

For reduction of county debt, a sum not exceeding seventeen thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding nine thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding five thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding fifteen thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twelve thousand dollars.

For criminal costs in the superior court, a sum not exceeding fifteen thousand five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding ten thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding four hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding three thousand five hundred dollars.

For highways, bridges and land damages, a sum not exceeding twelve thousand dollars. County tax, Plymouth.

For truant schools, a sum not exceeding two thousand four hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand six hundred and eighty-six dollars and seventy-six cents.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ninety-six thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 23, 1900.

RESOLVE TO PROVIDE FOR A SURVEY AND ESTIMATE RELATIVE TO THE IMPROVEMENT OF THE HARBOR OF CUTTYHUNK.

Chap. 33

Resolved, That the board of harbor and land commissioners are hereby directed to make or cause to be made a survey and estimate as to the advisability and cost of improving the harbor at Cuttyhunk in the town of Gosnold. Said board shall report thereon to the next general court, and may expend for the purposes of this resolve a sum not exceeding one thousand dollars. Survey and estimate relative to improvement of harbor of Cuttyhunk.

Approved March 23, 1900.

RESOLVE TO PROVIDE FOR COMPLETING AND FURNISHING THE PRACTICE SCHOOL BUILDING AT THE STATE NORMAL SCHOOL AT WESTFIELD.

Chap. 34

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twelve thousand dollars, for completing and furnishing the new building for a practice school, in connection with the state normal school at Westfield, the same to be expended under the direction of the state board of education. Practice school building at state normal school at Westfield.

Approved March 23, 1900.

RESOLVE TO PROVIDE FOR CERTAIN REPAIRS AND IMPROVEMENTS AT THE MASSACHUSETTS HOSPITAL FOR CONSUMPTIVES AND TUBERCULAR PATIENTS.

Chap. 35

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-three thousand dollars, to be expended at the Massachusetts hospital for consumptives and tubercular patients under the Repairs, etc., at Massachusetts hospital for consumptives and tubercular patients.

direction of the trustees of said institution, for the following purposes, to wit: — For a new dining room and assembly hall, a sum not exceeding eighteen thousand dollars; for furnishing, grading, painting, extension of water pipes, and sundry other necessary improvements, a sum not exceeding five thousand dollars. *Approved March 28, 1900.*

Chap. 36 RESOLVE IN FAVOR OF THE MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED.

Massachusetts
School for
Feeble-minded.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fifty thousand dollars, to be expended under the direction of the trustees of the Massachusetts School for the Feeble-minded in erecting new buildings for the said school upon land of the Commonwealth at Templeton, and in providing a water supply and sewerage works for the same.

Approved March 28, 1900.

Chap. 37 RESOLVE IN FAVOR OF THE NEW ENGLAND INDUSTRIAL SCHOOL FOR DEAF MUTES.

New England
Industrial
School for Deaf
Mutes.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the New England Industrial School for Deaf Mutes the sum of two thousand dollars, to be expended under the direction of the trustees thereof for the educational purposes of said school for the year nineteen hundred; said trustees to report to the state board of education.

Approved March 28, 1900.

Chap. 38 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF NORFOLK.

County tax,
Norfolk.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Norfolk for the year nineteen hundred: —

For interest on county debt, a sum not exceeding five thousand five hundred dollars.

For reduction of county debt, a sum not exceeding fifteen thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding sixteen thousand six hundred dollars.

For clerical assistance in county offices, a sum not exceeding eighteen thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-five thousand dollars.

For salaries of jailers, masters and assistants, and sup-

Port of prisoners in jails and houses of correction, a sum not exceeding twenty-six thousand dollars. County tax, Norfolk.

For criminal costs in the superior court, a sum not exceeding eighteen thousand dollars.

For civil expenses in the supreme judicial and superior courts a sum not exceeding twelve thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand five hundred dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding eleven thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding thirty-five thousand dollars.

For truant schools, a sum not exceeding four thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and sixty-five thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved March 28, 1900.

RESOLVE TO PROVIDE FOR ADDITIONAL FURNISHINGS AND REPAIRS FOR THE STATE NORMAL SCHOOL AT NORTH ADAMS.

Chap. 39

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of fifteen hundred dollars, to be expended under the direction of the state board of education for additional cases, for furniture, heating apparatus, hot water connections, for repairs of boiler, shafting, chemical laboratory and roof, and for painting and kalsomining at the state normal school at North Adams.

Repairs, etc.,
at state normal
school at North
Adams.

Approved April 3, 1900.

Chap. 40 RESOLVE TO PROVIDE FOR REIMBURSING JOHN W. WEEKS FOR MONEY SPENT IN THE MAINTENANCE OF THE STATE CRUISER INCA.

John W. Weeks
to be reimbursed
for money spent
in maintenance
of state cruiser
Inca.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, upon approval by the quartermaster general, a sum not exceeding thirteen hundred and fifty dollars, to reimburse John W. Weeks, chief of the naval brigade, for sums expended by him in the maintenance of the state cruiser Inca.

Approved April 3, 1900.

Chap. 41 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF WORCESTER.

County tax,
Worcester.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Worcester for the year nineteen hundred : —

For interest on county debt, a sum not exceeding fifteen thousand dollars.

For reduction of county debt, a sum not exceeding forty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-five thousand dollars.

For clerical assistance in county offices, a sum not exceeding thirty-five thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding forty thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty thousand dollars.

For criminal costs in the superior court, a sum not exceeding eighteen thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty thousand dollars.

For trial justices, a sum not exceeding five thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding nine hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars.

For auditors, masters and referees, a sum not exceeding three thousand five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars.

For fuel, lights and supplies in county buildings, other

than jails and houses of correction, and for care of the same, a sum not exceeding twenty-two thousand dollars. County tax, Worcester.

For highways, bridges and land damages, a sum not exceeding thirty thousand dollars.

For truant schools, a sum not exceeding ten thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding ten thousand six hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and eighty-one thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 3, 1900.

RESOLVE TO PROVIDE FOR A SURVEY AND ESTIMATE RELATIVE TO THE IMPROVEMENT OF THE ENTRANCE TO WAQUOIT BAY IN THE TOWN OF FALMOUTH.

Chap. 42

Resolved, That the board of harbor and land commissioners are hereby directed to make or cause to be made a survey and estimate as to the advisability and cost of improving the entrance to Waquoit bay in the town of Falmouth. The board shall report thereon to the next general court and may expend for the purposes of this resolve a sum not exceeding one thousand dollars.

Survey and estimate relative to improvement of entrance to Waquoit bay in Falmouth.

Approved April 4, 1900.

RESOLVE IN FAVOR OF S. LOTHROP THORNDIKE, EXECUTOR.

Chap. 43

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to S. Lothrop Thorndike, executor of the will of the late Sarah P. Cleveland, the sum of two thousand and thirty and sixty-two one hundredths dollars, said sum having been heretofore paid to the Commonwealth in excess of the amount due as a collateral inheritance tax.

S. Lothrop Thorndike, executor.

Approved April 5, 1900.

RESOLVE IN FAVOR OF WILLIAM WILMOT.

Chap. 44

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to William Wilmot of Lynn the sum of three hundred dollars, in full compensation for injuries received by him while employed in the work of construction at the state farm.

William Wilmot.

Approved April 11, 1900.

Chap. 45**RESOLVE IN FAVOR OF THOMAS FREER.****Thomas Freer.**

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Thomas Freer of Chelmsford the sum of forty dollars, in full compensation for all claims on account of injuries to a horse owned by him and used by a member of troop F, cavalry, first brigade, Massachusetts volunteer militia, at the annual encampment at South Framingham in the year eighteen hundred and ninety-nine.

*Approved April 11, 1900.***Chap. 46**

RESOLVE TO PROVIDE FOR ADDITIONAL ROOMS IN THE SUB-BASEMENT OF THE STATE HOUSE FOR THE USE OF THE DETECTIVE DEPARTMENT OF THE DISTRICT POLICE.

Additional
rooms for
detective
department of
district police.

Resolved, That a sum not exceeding thirty-six hundred dollars be allowed and paid out of the treasury of the Commonwealth for providing and constructing additional rooms in the sub-basement of the state house for the use of the detective department of the district police. This sum shall be expended under the direction of the state house construction commissioners.

*Approved April 11, 1900.***Chap. 47**

RESOLVE TO AUTHORIZE THE STATE BOARD OF EDUCATION TO PRINT A REPORT ON THE STATE EXHIBIT OF DRAWING IN THE PUBLIC SCHOOLS.

Printing of re-
port on state
exhibit of draw-
ing in public
schools.

Resolved, That the state board of education is hereby authorized to print two thousand copies of a report on the state exhibit of drawing in the public schools, the cost of printing such report to be paid out of the unexpended balance for said exhibit.

*Approved April 11, 1900.***Chap. 48**

RESOLVE TO PROVIDE FOR THE MAINTENANCE AND NECESSARY REPAIR OF APPARATUS FOR THE PRACTICAL EXAMINATION OF ENGINEERS AND FIREMEN.

Maintenance,
etc., of appa-
ratus for practical
examination of
engineers and
firemen.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding five hundred dollars, to be expended under the direction of the chief of the Massachusetts district police for the maintenance and necessary repair of apparatus used by the members of the boiler inspection department of the district police in the examination of engineers and firemen.

Approved April 11, 1900.

RESOLVE IN FAVOR OF THE FIRM OF G. F. WHITING AND COMPANY. *Chap. 49*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to George F. Whiting and Frederick L. Churchill, composing the firm of G. F. Whiting and Company, the sum of one hundred and fifty dollars, in full compensation for the loss of a horse belonging to said firm and furnished for the use of the Commonwealth in the parade in honor of Admiral Dewey on the fourteenth day of October in the year eighteen hundred and ninety-nine, said horse having received a fatal injury while in said parade.

Approved April 11, 1900.

Firm of G. F.
Whiting and
Company.

RESOLVE IN FAVOR OF THE MASSACHUSETTS AGRICULTURAL COLLEGE. *Chap. 50*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Massachusetts Agricultural College for the purpose of providing the instruction called for by its charter and by the law of the United States relating to the college, the sum of eight thousand dollars annually for the term of four years beginning with the first day of January in the year nineteen hundred, the same to be paid in equal quarterly instalments; and further

Massachusetts
Agricultural
College.

Resolved, That there be allowed and paid in the same manner to the said college an additional sum of ten thousand dollars annually for the term of four years beginning with the first day of January in the year nineteen hundred and one, of which five thousand dollars a year shall be devoted to the purpose already stated, and five thousand dollars a year shall be used as a labor fund for the assistance of needy students of the college.

Approved April 11, 1900.

RESOLVE TO AUTHORIZE THE STATE BOARD OF AGRICULTURE TO COLLECT AND DISTRIBUTE INFORMATION RELATIVE TO PARTLY ABANDONED FARMS AND UNREMUNERATIVE LANDS. *Chap. 51*

Resolved, That the state board of agriculture is hereby authorized to collect information as to developing the agricultural resources of the Commonwealth by the repopulating of partly abandoned farms and of lands now unremunerative, and to cause the facts thus obtained and a statement of the advantages thus disclosed to be circulated where and in such manner as the board may deem best. To

Information
relative to
partly aban-
doned farms,
etc.

carry out the provisions of this resolve a sum not exceeding one thousand dollars may be expended: *provided*, that bills therefor are approved by the secretary of the said board and certified by the auditor of the Commonwealth.

Approved April 11, 1900.

Chap. 52 RESOLVE TO PROVIDE FOR STAINED GLASS WINDOWS FOR THE SOUTH CORRIDOR OF THE SENATE STAIRCASE HALL IN THE STATE HOUSE.

Stained glass windows for south corridor of senate staircase hall.

Resolved, That the state house construction commissioners may expend in providing stained glass windows for the south corridor of the senate staircase hall the unexpended appropriation authorized by chapter eighty-one of the resolves of the year eighteen hundred and ninety-nine.

Approved April 12, 1900.

Chap. 53 RESOLVE TO PROVIDE FOR A NEW HOSPITAL, LAUNDRY AND BATH HOUSE BUILDING AT THE MASSACHUSETTS REFORMATORY.

New buildings at Massachusetts reformatory.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirty-five thousand dollars, to be expended at the Massachusetts reformatory under the direction of the commissioners of prisons for the construction of a new hospital building, and of a laundry and bath house building.

Approved April 18, 1900.

Chap. 54 RESOLVE IN FAVOR OF THE STATE NORMAL SCHOOL AT FITCHBURG.

State normal school at Fitchburg.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding seven thousand five hundred dollars, to be expended under the direction of the state board of education for completing and furnishing the building for a model and practice school in connection with the state normal school at Fitchburg, and for grading the grounds.

Approved April 18, 1900.

Chap. 55 RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE STATE FARM.

Improvements at state farm.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fourteen thousand five hundred dollars, to be expended at the state farm under the direction of the trustees and superintendent thereof for the following purposes: — For building a pigery, a sum not exceeding four thousand dollars; for building an ice house, a sum not exceeding two thousand

dollars; for completing the sewage and water filtration beds, and purchasing new pumping machinery, a sum not exceeding four thousand five hundred dollars; and for purchasing and setting new high pressure boilers, a sum not exceeding four thousand dollars.

Approved April 18, 1900.

RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE ASYLUM FOR INSANE CRIMINALS AT THE STATE FARM.

Chap. 56

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-nine thousand dollars, to be expended at the state farm under the direction of the trustees and superintendent thereof for the following purposes: — For enclosing with a brick wall fifteen acres of additional ground, and connecting the same with the present enclosure, a sum not exceeding twenty thousand dollars; for heating and furnishing the new building, a sum not exceeding seven thousand dollars; and for re-heating the old buildings, a sum not exceeding two thousand dollars.

Improvements at asylum for insane criminals at state farm.

Approved April 18, 1900.

RESOLVE IN FAVOR OF JOHN J. NICHOLS.

Chap. 57

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to John J. Nichols of Lowell the sum of three hundred and fifty dollars, in full compensation for injuries accidentally received by him and expenses incurred thereby while acting under military orders as a member of troop F, cavalry, first brigade, Massachusetts volunteer militia, on the fourteenth day of October in the year eighteen hundred and ninety-nine.

John J. Nichols.

Approved April 25, 1900.

RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE REPORT OF THE COMMISSIONERS ON THE TOPOGRAPHICAL SURVEY AND MAP OF MASSACHUSETTS ON THE BOUNDARY LINE BETWEEN THIS COMMONWEALTH AND THE STATE OF NEW YORK.

Chap. 58

Resolved, That two hundred additional copies of the report of the commissioners on the topographical survey and map of Massachusetts on the boundary line between this Commonwealth and the state of New York be printed and bound in cloth for the use of said commissioners.

Additional copies of report on boundary line between Massachusetts and New York.

Approved May 2, 1900.

Chap. 59 RESOLVE TO PROVIDE FOR THE CONSTRUCTION OF A COLD STORAGE BUILDING AND A STABLE AT THE NORTHAMPTON INSANE HOSPITAL.

New buildings
at Northampton
insane hospital.

Resolved, That the appropriation authorized by chapter sixty-eight of the resolves of the year eighteen hundred and ninety-nine, being a sum not exceeding twelve thousand dollars, shall be expended under the direction of the trustees of the Northampton insane hospital in constructing a cold storage building and a new stable at the said hospital.

Approved May 2, 1900.

Chap. 60 RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE LYMAN SCHOOL FOR BOYS.

Improvements
at Lyman school
for boys.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding eighteen thousand dollars, to be expended at the Lyman school for boys under the direction of the trustees thereof for the following purposes : — For reconstructing the chapel building so that it may be used as a cottage, a sum not exceeding seven thousand dollars ; and for the purchase of laundry machinery and motors, for new plumbing in the kitchen, and for other expenses made necessary on account of changes to be made in the cooking and laundry departments, a sum not exceeding eleven thousand dollars.

Approved May 4, 1900.

Chap. 61 RESOLVE TO AUTHORIZE THE SECRETARY OF THE COMMONWEALTH TO PUBLISH A HISTORY OF THE STATE SEAL AND COAT-OF-ARMS.

Publication of
history of seal
and coat-of-
arms of the
Commonwealth.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one hundred and fifty dollars, to be expended under the direction of the secretary of the Commonwealth in the preparation and publication of a short illustrated history of the seal of the Commonwealth, and especially of the official drawing of the coat-of-arms.

Approved May 4, 1900.

Chap. 62 RESOLVE TO PROVIDE FOR THE CONSTRUCTION AT THE STATE CAMP GROUND OF BUILDINGS FOR THE ISSUE OF RATIONS.

Construction of
buildings for
issue of rations
at state camp
ground.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twelve hundred dollars, to be expended by the quartermaster

general under the direction of the governor for the construction of buildings at the state camp ground for the issue of rations.

Approved May 9, 1900.

RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE STATE CAMP GROUND.

Chap. 63

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding six thousand dollars, to be expended by the quartermaster general, under the direction of the governor, for putting the grounds and roads at the state camp ground in proper condition to preserve the health of the troops, and for improving the water facilities at the said ground.

Improvements
at state camp
ground.

Approved May 10, 1900.

RESOLVE TO PROVIDE FOR THE CARE, FURNISHING AND REPAIR OF THE UNITED STATES STEAMER INCA.

Chap. 64

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding eight hundred dollars, for the care, furnishing and repair of the United States steamer Inca, or of any other vessel used by the naval brigade for drills.

Care, etc., of
United States
steamer Inca.

Approved May 16, 1900.

RESOLVE DIRECTING THE STATE BOARD OF HEALTH TO INVESTIGATE THE SANITARY CONDITION OF THE SUDBURY AND CONCORD RIVERS AND OF THE MEADOWS ADJACENT THERETO.

Chap. 65

Resolved, That the state board of health is hereby directed to investigate and report upon the sanitary condition of the beds, shores and waters of the Sudbury and Concord rivers, and of the meadows adjacent thereto, in the towns of Sudbury, Wayland, Concord, Bedford, Carlisle, Billerica, and in any other town bordering upon the said rivers or either of them. The board shall ascertain whether any danger to the public health exists in said rivers or meadows by reason of stagnant water or of refuse from factories, or from other causes; and if they find that such danger exists they shall report to the next general court some plan for its removal. In carrying out the provisions of this resolve the board may expend a sum not exceeding three thousand dollars.

State board of
health to inves-
tigate sanitary
condition of
Sudbury and
Concord rivers,
etc.

Approved May 16, 1900.

Chap. 66Phoebe H. K.
Chapman.

RESOLVE IN FAVOR OF PHOEBE H. K. CHAPMAN.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Phoebe H. K. Chapman, widow of George W. Chapman who served in the war of the rebellion from the town of Woburn, and who never received a bounty for such service, the sum of one hundred and twenty-five dollars. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to her executor or administrator.

Approved May 16, 1900.

Chap. 67

Lemuel Burr.

RESOLVE IN FAVOR OF LEMUEL BURR.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Lemuel Burr of Cambridge, one of the Ponkapoag tribe of Indians, for his support, the sum of one hundred and fifty dollars.

Approved May 16, 1900.

Chap. 68State normal
school at
Bridgewater.

RESOLVE IN FAVOR OF THE STATE NORMAL SCHOOL AT BRIDGEWATER.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding five thousand seven hundred dollars, to be expended under the direction of the state board of education for needed improvements at the state normal school in Bridgewater, as follows: — A sum not exceeding three thousand three hundred dollars for new tables, drawers and cases for the mineralogical, physical and chemical laboratories, and tables for the classes in drawing; and a further sum, not exceeding two thousand four hundred dollars, for painting, outside and inside, the two boarding halls connected with the school, and providing Venetian blinds for Normal Hall.

Approved May 16, 1900.

Chap. 69Completion of
new building at
Worcester
insane hospital.

RESOLVE TO PROVIDE FOR COMPLETING THE NEW BUILDING AT THE WORCESTER INSANE HOSPITAL.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirty-nine thousand nine hundred ninety-eight dollars and forty-four cents, to be expended at the Worcester insane hospital under the direction of the trustees thereof for the following

purposes : — For furnishing the interior of the new building, a sum not exceeding seventeen thousand and sixty-eight dollars ; for iron stairs, wire laths, slate floors, terra cotta partitions, electric wiring, and other similar material, a sum not exceeding six thousand six hundred and sixty-one dollars ; for architects' fees, a sum not exceeding two thousand four hundred and seventy dollars ; for heating and ventilation, a sum not exceeding six thousand seven hundred and eighty-two dollars ; for payment of amount due the contractor, a sum not exceeding two thousand seventeen dollars and forty-four cents ; for alterations in the old part of the building, a sum not exceeding two thousand three hundred and sixty dollars ; and for remodelling the heating and ventilating apparatus in the old building, a sum not exceeding two thousand six hundred and forty dollars.

Approved May 16, 1900.

RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE STATE ALMSHOUSE.

Chap. 70

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding sixty-eight thousand five hundred dollars, to be expended at the state almshouse under the direction of the trustees thereof for the following purposes : — For the construction of a new ward for insane men, a sum not exceeding fifty thousand dollars, of which amount twenty-five thousand dollars only shall be expended during the present year ; for furnishing the new dormitory for men, a sum not exceeding thirty-five hundred dollars ; for a new mortuary, and for a new cold storage plant, a sum not exceeding ten thousand dollars ; and for a building for mechanical work, a sum not exceeding five thousand dollars.

Improvements
at state alms-
house.

Approved May 17, 1900.

RESOLVE TO PROVIDE FOR A REVISION OF THE LAWS RELATIVE TO THE MILITIA.

Chap. 71

Resolved, That the governor is hereby authorized to appoint five persons to revise the laws relative to the militia. In making the revision consideration shall be given to the laws and regulations pertaining to the organization and government of the regular army of the United States. The persons appointed in accordance with this resolve shall submit to the next general court, on or before

Revision of
laws relative to
the militia.

the first day of January next, a draft of their revision, with such recommendations as they may deem proper.

Approved May 18, 1900.

Chap. 72

New Bedford
textile school.

RESOLVE IN FAVOR OF THE NEW BEDFORD TEXTILE SCHOOL.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the New Bedford textile school the sum of eighteen thousand dollars, for the use of said school: *provided, however*, that no part of this sum shall be paid until satisfactory evidence is furnished to the auditor of accounts of the Commonwealth that an additional sum of seven thousand dollars has been paid to the said trustees for the use of said school by the city of New Bedford, or received by them from other sources; and *provided, further*, that the yearly tuition at said institution for day pupils who are non-residents of the Commonwealth shall be not less than one hundred and fifty dollars. The city of New Bedford is hereby authorized to raise by taxation and pay to said trustees such sum of money, not exceeding seven thousand dollars, as may be necessary to secure the amount provided for by this resolve. *Approved May 18, 1900.*

Chap. 73

Erection of
buildings for
Lowell textile
school.

RESOLVE TO PROVIDE FOR THE ERECTION OF BUILDINGS FOR THE LOWELL TEXTILE SCHOOL.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the Lowell textile school a sum not exceeding thirty-five thousand dollars, to be expended under the direction of said trustees in erecting a building or buildings for the use of said school: *provided, however*, that no part of this sum shall be paid until satisfactory evidence is furnished to the auditor of accounts of the Commonwealth that a lot of land suitable and ample for such building or buildings has been contributed and conveyed in fee to said trustees, free from all incumbrances; and *provided, further*, that no part of said sum shall be paid to said trustees in excess of the combined fair market value of the land so conveyed to them and of machinery hereafter given absolutely to them for the use of the school, together with the amount of contributions of money made to the trustees for the general purposes of the school or for the erection of said building or buildings, exclusive however of any contribution

of money for the use of said school provided for in any other act or resolve of the present year.

Approved May 18, 1900.

RESOLVE TO CONFIRM THE ACTS OF GEORGE D. ALDEN AS JUSTICE OF THE PEACE.

Chap. 74

Resolved, That the acts of George D. Alden as a justice of the peace, between the thirty-first day of July in the year eighteen hundred and ninety-six and the fifth day of April in the year nineteen hundred, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Acts of George D. Alden as a justice of the peace confirmed.

Approved May 23, 1900.

RESOLVE TO PROVIDE FOR INCLUDING IN THE COUNTY TAX FOR THE COUNTY OF WORCESTER THE EXPENSE OF CARE AND MAINTENANCE OF THE WACHUSETT MOUNTAIN STATE RESERVATION.

Chap. 75

Resolved, That in addition to the sums appropriated by chapter forty-one of the resolves of the current year, the sum of five thousand dollars is hereby appropriated for the necessary expenses of the county of Worcester in the care and maintenance of the Wachusett mountain state reservation for the year nineteen hundred. And the county commissioners of said county are hereby authorized to levy as part of the county tax of said county for the current year, in the manner provided by law, the sum of five thousand dollars for the above purpose.

Expense of care, etc., of Wachusett mountain state reservation to be included in tax for Worcester county.

Approved May 28, 1900.

RESOLVE IN FAVOR OF THE LOWELL TEXTILE SCHOOL.

Chap. 76

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the Lowell textile school the sum of sixteen thousand dollars, to be applied to the purposes of the school: *provided*, that no part of this sum shall be paid until satisfactory evidence is furnished to the auditor of accounts of the Commonwealth that an additional sum of six thousand dollars has been paid to said trustees by the city of Lowell or received by them from other sources. The city of Lowell is hereby authorized to raise by taxation and pay to said trustees such sum of money, not exceeding six thousand dollars, as may be necessary together with that received from other sources to secure the amount provided for by this resolve.

Lowell textile school.

Approved May 28, 1900.

Chap. 77 RESOLVE TO PROVIDE FOR THE ERECTION OF TABLETS OR MONUMENTS AT ANDERSONVILLE, GEORGIA, ON GROUNDS FORMERLY OCCUPIED AS A CONFEDERATE PRISON.

Erection of monuments, etc., at Andersonville, Georgia.

Resolved, That a commission composed of Charles G. Davis, Thaddeus H. Newcomb, Francis C. Curtis, Levi G. McKnight and Everett S. Horton, are hereby authorized to acquire, in the name of and for the Commonwealth, by purchase or otherwise, sufficient land on the site formerly occupied as a confederate prison at Andersonville, Georgia, and to erect thereon, or on land owned by the United States, suitable tablets, monuments, or a monument, to the memory of those Massachusetts soldiers who died at that place. The commission shall serve without compensation but shall be reimbursed for necessary expenses actually incurred. The design for the tablets, monuments or monument shall be submitted to and approved by the governor and council, who shall approve all bills contracted hereunder before they are sent to the auditor for payment. The total expenditure under this resolve shall not exceed the sum of eight thousand dollars.

Approved May 28, 1900.

Chap. 78

George Dunbar.

RESOLVE IN FAVOR OF GEORGE DUNBAR.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars to George Dunbar, a veteran of the civil war who served in the United States army to the credit of the town of West Bridgewater and who never received a bounty for such service. The said sum shall be paid only to the beneficiary named herein or to his executor or administrator.

Approved May 31, 1900.

Chap. 79 RESOLVE TO PROVIDE FOR BUILDING AND EQUIPPING A NEW LAUNDRY BUILDING AT THE DANVERS INSANE HOSPITAL.

New building, etc., at Danvers insane hospital.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five thousand dollars, to be expended at the Danvers insane hospital under the direction of the trustees thereof in building a new laundry and equipping it with laundry machinery, belting, shafting, and all other things necessary for laundry work.

Approved May 31, 1900.

RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE *Chap. 80*
OFFICIAL OPINIONS OF THE ATTORNEY-GENERAL.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand dollars for printing one thousand additional copies of the official opinions of the attorney-general, published under the authority of chapter ninety-five of the resolves of the year eighteen hundred and ninety-eight, and for editing and digesting the volumes of said opinions already published. *Additional copies of official opinions of attorney-general.*
Approved May 31, 1900.

RESOLVE IN FAVOR OF CERTAIN VETERANS OF THE TOWN OF STONE- *Chap. 81*
HAM.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars each to Charles A. Holmes and Allen D. Whitman, or in case of death to their heirs or legal representatives; the said persons being veterans of the civil war who served in the thirteenth Massachusetts volunteers to the credit of the town of Stoneham and never received a bounty for such service. *Certain veterans of town of Stoneham.*

Approved June 6, 1900.

RESOLVE IN FAVOR OF WILLIAM H. GOODWIN.

Chap. 82

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to William H. Goodwin of Marblehead the sum of one hundred and twenty-five dollars, in full compensation for rent of his grounds and for damage to his property in Marblehead by troops and others during the year eighteen hundred and ninety-eight.

William H. Goodwin.

Approved June 7, 1900.

RESOLVE TO CONFIRM THE ACTS OF GEORGE S. LITTLEFIELD AS A *Chap. 83*
JUSTICE OF THE PEACE.

Resolved, That all the acts of George S. Littlefield of Winchester as a justice of the peace, between the twenty-fourth day of November in the year eighteen hundred and ninety-three and the twenty-fourth day of April in the year nineteen hundred, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of said office. *Acts of George S. Littlefield as a justice of the peace confirmed.*

Approved June 13, 1900.

Chap. 84

Widow of
Nicholas B.
Keyou.

RESOLVE IN FAVOR OF THE WIDOW OF NICHOLAS B. KEYOU.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Margaret May Keyou, widow of Nicholas B. Keyou late a member of the house of representatives from the ninth Middlesex representative district, the salary to which he would have been entitled had he lived till the end of the present session.

Approved June 15, 1900.

Chap. 85

Widow of
Charles R.
Ayer.

RESOLVE IN FAVOR OF THE WIDOW OF CHARLES R. AYER.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of Charles R. Ayer late a messenger of the house of representatives, who died on the fifteenth day of January in the year nineteen hundred, the sum of eight hundred and fifty dollars, being the amount of salary which he would have been entitled to receive had he performed service as messenger till the end of the present session.

Approved June 15, 1900.

Chap. 86

Improvements
at hospital
cottages for
children at
Baldwinville.

RESOLVE RELATIVE TO IMPROVEMENTS OF THE HOSPITAL COTTAGES FOR CHILDREN AT BALDWINVILLE.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding forty thousand dollars, to be expended in building an additional wing to the Hospital Cottages for Children, in Baldwinville, in necessary alterations and improvements in the administration building, in reconstructing and extending the heating system, including the purchase of a new boiler, in improving the lighting system, and in making other minor improvements. These expenditures shall be made under the direction of the trustees of said hospital cottages.

Approved June 20, 1900.

Chap. 87

Daughter of
Charles N.
Marsh.

RESOLVE IN FAVOR OF THE DAUGHTER OF CHARLES N. MARSH.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Ellen B. Good, daughter of Charles N. Marsh late a messenger of the senate, who died on the fifteenth day of January in the year nineteen hundred, the sum of eight hundred and fifty dollars, being the amount of money that the said Charles N. Marsh would

be entitled to receive had he lived to perform service as messenger to the end of the present session.

Approved June 25, 1900.

RESOLVE IN FAVOR OF THE WIDOW OF WALBRIDGE ABNER FIELD.

Chap. 88

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of Walbridge Abner Field late chief justice of the supreme judicial court of this Commonwealth, who died on the fifteenth day of July in the year eighteen hundred and ninety-nine, the sum of three thousand six hundred seventy-seven dollars and forty-two cents, being the amount of salary which he would have received had he held the said office till the end of the year eighteen hundred and ninety-nine.

Widow of
Walbridge
Abner Field.

Approved June 25, 1900.

RESOLVE IN FAVOR OF LEVI G. PERRY.

Chap. 89

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Levi G. Perry the sum of five hundred dollars, and that from and after the first day of July in the year nineteen hundred there be allowed and paid to said Perry an annuity of three hundred dollars for the rest of his natural life, payable in equal quarterly instalments, in compensation for injuries received by him on the twenty-eighth day of September in the year eighteen hundred and ninety-nine, while in the discharge of his duties as an employee of the gypsy moth commission.

Levi G. Perry.

Approved June 25, 1900.

RESOLVE IN FAVOR OF CATHERINE GLYNN.

Chap. 90

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Catherine Glynn, widow of Patrick Glynn late messenger in the office of state adult poor, who died on the seventeenth day of July in the year eighteen hundred and ninety-nine, the sum of two hundred and eight dollars and thirty-four cents, being the amount of salary to which he would have been entitled had he served until the thirty-first day of December of the said year.

Catherine
Glynn.

Approved June 25, 1900.

RESOLVE IN FAVOR OF THE WIDOW OF ISAAC C. WRIGHT.

Chap. 91

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Lydia C. Wright, widow

Widow of Isaac
C. Wright.

of Isaac C. Wright late a member of the house of representatives from the twelfth Worcester representative district, the sum of two hundred and seventeen dollars, being the amount of salary due him at the date of his death.

Approved June 27, 1900.

Chap. 92

Widow of
George R. R.
Rivers.

RESOLVE IN FAVOR OF THE WIDOW OF GEORGE R. R. RIVERS.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of George R. R. Rivers late a member of the house of representatives from the fourth Norfolk district, the salary to which he would have been entitled had he lived to the end of the present session.

Approved June 27, 1900.

Chap. 93

Widow of Jus-
tin Dewey.

RESOLVE IN FAVOR OF THE WIDOW OF JUSTIN DEWEY.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of Justin Dewey late associate justice of the superior court, the remainder of the salary to which he would have been entitled had he lived and performed the duties of his office till the end of the current year.

Approved June 27, 1900.

Chap. 94

Widow of
Franklin A.
Gowen.

RESOLVE IN FAVOR OF THE WIDOW OF FRANKLIN A. GOWEN.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of the late Franklin A. Gowen deputy controller of county accounts, who died on the twenty-fourth day of April in the year eighteen hundred and ninety-nine, the sum of ten hundred and twenty-five dollars, being the amount of salary to which he would have been entitled had he lived to perform service as said deputy to the end of the year eighteen hundred and ninety-nine.

Approved June 27, 1900.

Chap. 95

Hiram P.
Harriman.

RESOLVE IN FAVOR OF HIRAM P. HARRIMAN.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Hiram P. Harriman of Wellfleet, judge of probate and insolvency for the county of Barnstable, the sum of one hundred and five dollars, for his services as judge of probate and insolvency for the county of Norfolk, after the death of the late incumbent and before the qualification of the present incumbent of that office, namely, from the third day of August to the sixth day of September, inclusive, in the year eighteen hundred and ninety-nine.

Approved June 27, 1900.

RESOLVE TO PROVIDE FOR PRINTING THE REPORT OF THE STATE BOARD OF HEALTH AS TO THE DISCHARGE OF SEWAGE INTO BOSTON HARBOR. *Chap. 96*

Resolved, That there be printed and bound in cloth one thousand copies of the report of the state board of health on the general subject of the discharge of sewage into Boston harbor, together with the two maps accompanying the report, and that these copies be distributed at the discretion of the said board. The expense incurred under the provisions of this resolve shall be paid from the unexpended balance of the appropriation authorized by chapter sixty-five of the resolves of the year eighteen hundred and ninety-nine.

Printing report of state board of health as to discharge of sewage into Boston harbor.

Approved June 28, 1900.

RESOLVE TO PROVIDE FOR AN EXAMINATION AND REPORT BY THE BOARD OF HARBOR AND LAND COMMISSIONERS AS TO THE ANCHORAGE OF VESSELS IN BOSTON HARBOR. *Chap. 97*

Resolved, That the board of harbor and land commissioners is hereby directed to cause examinations, surveys, plans and estimates to be made to determine the feasibility and cost of providing anchorage ground in Boston harbor where vessels may be so moored as not to interfere with the navigation by other vessels of the channels of the harbor, and to report the results of their investigation to the next general court. In carrying out the provisions of this resolve the board may expend a sum not exceeding twenty-five hundred dollars.

Examination, etc., by harbor and land commissioners as to anchorage of vessels in Boston harbor.

Approved June 28, 1900.

RESOLVE DIRECTING THE STATE BOARD OF CHARITY TO CONSIDER AND REPORT UPON THE EXPEDIENCY OF CONSTRUCTING AND EQUIPPING A NEW BUILDING FOR THE USE OF THE MASSACHUSETTS STATE SANATORIUM. *Chap. 98*

Resolved, That the state board of charity is hereby directed to inquire into the expediency of constructing and equipping a new building for the use of the Massachusetts state sanatorium; and if such construction and equipment shall seem to the board advisable the board is further instructed to prepare a general plan of such building, together with an estimate of its cost, and to submit the same to the next general court, with a report containing the result of the investigations made by the board and its recommendations. The board is also instructed to consider and report upon the advisability of legislation to

Report, etc., upon expediency of constructing, etc., new building for use of Massachusetts state sanatorium.

provide for the visitation and general supervision of the Massachusetts state sanatorium by said board. Any bills for expenses incurred by the board under the provisions of this resolve shall be approved by the governor and council before they are sent to the auditor for payment, and in no event shall the expenses exceed the sum of five hundred dollars. The report herein required shall be made to the general court on or before the fifteenth day of January in the year nineteen hundred and one.

Approved June 28, 1900.

Chap. 99 RESOLVE TO CONFIRM THE ACTS OF N. EVERETT SILSBEE AS A JUSTICE OF THE PEACE.

Acts of N. Everett Silsbee as a justice of the peace confirmed.

Resolved, That all the acts of N. Everett Silsbee of Lynn as a justice of the peace, between the twentieth day of April and the first day of June in the year nineteen hundred, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office.

Approved June 28, 1900.

Chap. 100 RESOLVE TO PROVIDE FOR THE PROTECTION OF THE TOWN OF HADLEY AGAINST THE FURTHER ENCROACHMENTS OF THE CONNECTICUT RIVER.

Protection of town of Hadley against encroachments of Connecticut river.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to be expended under the direction of the board of harbor and land commissioners, in pursuance of the provisions of chapter three hundred and forty-four of the acts of the year eighteen hundred and eighty-five, the sum of fifteen thousand dollars, for such surveys and examinations and for such protective works as may be found necessary and practicable to protect the easterly bank of the Connecticut river in the town of Hadley and the highway near said bank from the further encroachments of said river.

Approved June 28, 1900.

Chap. 101 RESOLVE TO PROVIDE FOR INSTRUCTION IN RIDING FOR THE MOUNTED MILITIA.

Instruction in riding for the mounted militia.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of five thousand one hundred and twenty dollars, for giving instruction in riding to officers required by the militia laws to be mounted, to non-commissioned officers, buglers and drivers of the

light artillery, to enlisted men of the cavalry, and to enlisted men of the infantry who are required by law to be mounted. The said sum shall be paid, upon approval by the adjutant general, to the commanding officer of each organization, at the rate of ten dollars per man: *provided*, that proper certificates signed by said officers are exhibited, stating the number of men in each command who have received such instruction, and certifying that each man has ridden at least five times under proper military instruction.

Approved June 29, 1900.

RESOLVE TO PROVIDE FOR THE PAYMENT OF CERTAIN CASH ALLOWANCES FOR RIFLE AND CARBINE QUALIFICATIONS AND REQUALIFICATIONS IN THE MILITIA.

Chap.102

Resolved, That there be allowed and paid out of the treasury of the Commonwealth from the ordinary revenue a sum not exceeding one thousand five hundred dollars, for cash allowances for rifle and carbine qualifications and requalifications credited to officers and men of the militia in the year eighteen hundred and ninety-eight, and lapsing by reason of the absence of such officers and men in the volunteer service of the United States; such payment to be made on returns furnished by the inspector general of rifle practice and certified and approved by him.

Rifle and carbine qualifications, etc., in militia.

Approved July 5, 1900.

RESOLVE IN FAVOR OF ELLEN M. WRIGHTINGTON.

Chap.103

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Ellen M. Wrightington, widow of Stephen C. Wrightington late superintendent of the division of adult poor, who died on the sixth day of January in the year nineteen hundred, the sum of one thousand six hundred ninety-three dollars and fifty-five cents, being the amount of salary to which he would have been entitled had he lived until the first day of July of the present year, the same being the end of the year for which he was employed as such superintendent.

Ellen M. Wrightington.

Approved July 5, 1900.

RESOLVE RELATIVE TO THE PAN-AMERICAN EXPOSITION TO BE HELD IN THE CITY OF BUFFALO IN THE STATE OF NEW YORK.

Chap.104

Resolved, That for the purpose of exhibiting at the Pan-American exposition in Buffalo, New York, in the year nineteen hundred and one, the arts, industries, institutions,

Pan-American exposition.

resources, products and general development of the Commonwealth, and for distributing to all nations of the western hemisphere information relative to the manufacturing and mercantile business of the Commonwealth which will assist in the export of Massachusetts products, there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding ten thousand dollars, to be expended under the direction of the governor and council, in addition to the five thousand dollars authorized by chapter eighty-six of the resolves of the year eighteen hundred and ninety-nine.

Approved July 6, 1900.

- Chap.105** RESOLVE TO PROVIDE FOR AN INVESTIGATION BY THE BOARD OF RAILROAD COMMISSIONERS INTO THE MATTER OF REQUIRING STREET RAILWAY COMPANIES TO PAY A PROPORTION OF THE COST OF THE ABOLITION OF GRADE CROSSINGS IN CERTAIN CASES.

Investigation into matter of requiring street railway companies to pay proportion of cost of abolition of grade crossings, etc.

Resolved, That the board of railroad commissioners is hereby directed to consider the matter of requiring street railway companies to pay a proportion of the cost of the abolition of grade crossings in certain cases, and to report thereon, with such recommendations as it may deem proper, to the next general court, not later than the fifteenth day of January in the year nineteen hundred and one.

Approved July 16, 1900.

- Chap.106** RESOLVE RELATIVE TO COMPENSATION FOR ADDITIONAL CLERICAL ASSISTANCE IN THE OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES.

Clerical assistance in office of clerk of house of representatives.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of two hundred and fifty dollars to meet the expenses for clerical assistance in the office of the clerk of the house of representatives for the month of July of the present year.

Approved July 16, 1900.

- Chap.107** RESOLVE IN FAVOR OF THE MESSENGERS AND PAGES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Messengers and pages.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, in addition to the sums now provided by law, the sum of one hundred dollars each to the doorkeepers, assistant doorkeepers, postmaster and messengers of the senate and house of representatives; and the sum of sixty-seven dollars to each page.

Approved July 17, 1900.

RESOLVE IN FAVOR OF EDWARD J. DONOVAN.

Chap.108

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Edward J. Donovan, late a member of the house of representatives from the eighth Suffolk district, the sum of one hundred and eighty-seven dollars and fifty cents, being the amount of salary due him at the date of his resignation.

Edward J.
Donovan.*Approved July 17, 1900.*

RESOLUTIONS.

RESOLUTIONS RELATIVE TO THE DEATH OF CHARLES N. MARSH.

On the death of
Charles N.
Marsh.

Resolved, That the senate sincerely regrets the death of Charles N. Marsh, for the past twenty-three years a messenger of the senate. He was first appointed in 1877, and his last work as messenger was performed only a few days ago, on the occasion of the inauguration of the governor. He was a remarkably skilful penman. The firm and graceful lines traced by his pen showed to the last no tremor of age or abatement of skill. The fair and spotless pages of his records are a fitting emblem of the fair and spotless record of his life. Faithful to every duty and trust, he has come to a good end of a long and worthy life.

Resolved, That an engrossed copy of these resolutions, properly attested, be sent to the family of Mr. Marsh.

In Senate, adopted, January 22, 1900.

RESOLUTIONS IN HONOR OF THE LATE OLIVER H. DURRELL.

In honor of the
late Oliver H.
Durrell.

Whereas, Oliver H. Durrell, member of the governor's council from the third councillor district, was cut off by an untimely death on the thirty-first day of January in the year nineteen hundred; therefore, be it

Resolved, That the house of representatives desires to record its high respect for the memory of Mr. Durrell, and its sense of the loss which the Commonwealth has sustained by his death. He had remarkable talents in the transaction of business, sagacity in political matters, foresight and acuteness in all the affairs of life. These qualities made him a valuable member of the community; but Mr. Durrell had other qualities far greater and better. His life was guided by the principles of the Christian re-

ligion. His piety was deep and unaffected; his generosity wide and modest. Grief for his death is, therefore, tempered by the pride and satisfaction in his career, which are felt by all who knew him. Be it further

Resolved, That an engrossed copy of these resolutions be sent to the family of the deceased, and that the resolutions be entered upon the journal of the house of representatives.

In House of Representatives, adopted, February 6, 1900.

RESOLUTIONS RELATIVE TO AN APPROPRIATION BY THE CONGRESS OF THE UNITED STATES FOR THE IMPROVEMENT OF BOSTON HARBOR.

Whereas, Large sums of money have been expended by the Commonwealth in the development of a system of docks in Boston harbor; and Relative to an appropriation by congress for improvement of Boston harbor.

Whereas, To obtain the full benefit of the said system it is necessary that the channel of Boston harbor shall be widened and deepened; and

Whereas, This improvement would be of advantage not only to Boston and Massachusetts but also to all New England; be it

Resolved, That the congress of the United States is hereby requested to appropriate a sum sufficient for this purpose; and that the senators and representatives in congress from this state are requested to use all reasonable endeavors toward this end.

Resolved, That properly attested copies of these resolutions be sent to the presiding officers of both branches of congress, and to the senators and representatives in congress from this Commonwealth.

In House of Representatives, adopted, February 6, 1900.

In Senate, adopted in concurrence, February 9, 1900.

RESOLUTIONS IN HONOR OF THE LATE GEORGE R. R. RIVERS.

Whereas, Death has removed from the scene of his usefulness our esteemed associate George R. R. Rivers of Milton; In honor of the late George R. R. Rivers.

Resolved, That the house of representatives takes this method of expressing its deep sense of loss in the passing to the life beyond of so efficient and worthy a member.

Resolved, That though associated with him for a few

weeks only his fellow members learned to regard Mr. Rivers highly as a wise and able legislator, and a man whose high sense of honor and many estimable traits of character endeared him to all who knew him.

Resolved, That the sympathy of the house of representatives be extended to the family of our deceased associate in their affliction.

Resolved, That a copy of these resolutions be sent to the family of the deceased and entered upon the journal of the house.

In House of Representatives, adopted, February 21, 1900.

RESOLUTIONS IN FAVOR OF THE ESTABLISHMENT OF A HARBOR OF REFUGE AT PLEASANT BAY ON THE EASTERN SHORE OF CAPE COD.

In favor of the establishment of a harbor of refuge at Pleasant Bay, Cape Cod.

Whereas, The preservation of life and property requires the establishment of a harbor of refuge upon the eastern shore of Cape Cod, which now contains no safe harbor for a distance of more than fifty miles; and

Whereas, By cutting an opening through Nauset Beach, such a harbor might easily be constructed at Pleasant Bay, lying between Chatham, Orleans and Harwich, which is entirely landlocked, and which has an average depth of more than twenty-five feet; therefore

Resolved, That the general court of Massachusetts earnestly requests the congress of the United States to provide that surveys be ordered, and that an appropriation be made for the construction of the said harbor of refuge; and

Resolved, That properly attested copies of these resolutions be transmitted to the United States senate and to the house of representatives, and also to each senator and representative in congress from this Commonwealth.

In Senate, adopted, March 12, 1900.

In House of Representatives, adopted in concurrence, March 15, 1900.

RESOLUTIONS ON THE DEATH OF THE LATE NICHOLAS B. KEYOU.

On the death of the late Nicholas B. Keyou.

Resolved, That the house of representatives expresses its deep sorrow at the death of its late member, Nicholas B. Keyou of Medford, and its appreciation of his high

character and sterling qualities as a man and as a public official.

Resolved, That by his death the house has lost a valuable and efficient member, and the Commonwealth a respected and beloved citizen.

Resolved, That as a token of the respect in which his memory is held these resolutions be entered upon the journal of the house and that an engrossed copy thereof be sent to the family of the deceased.

In House of Representatives, adopted, March 16, 1900.

RESOLUTIONS ON THE DEATH OF ISAAC C. WRIGHT OF FITCHBURG,
LATE MEMBER OF THE HOUSE OF REPRESENTATIVES.

Whereas, Isaac Cushing Wright, member of this house from the twelfth Worcester district, died on the ninth day of April instant, be it

On the death of
Isaac C.
Wright.

Resolved, That our departed fellow member was a man of ripe years and mature judgment, who conscientiously performed the duties committed to his charge, even at the risk of his own health, and thereby earned the recognition of this house for his faithful service; that his unpretentious manners and earnest desire to discharge his obligations as a legislator have merited the approbation and respect which we gladly accord him; that he was a man honored in his own neighborhood, and that his new-formed friends in this body found in him those qualities which amply justified the confidence reposed in him by his constituents and which bade fair to have commanded for him an influence in this body commensurate with his worth, if his life had been longer spared. That we believe that in his death we have suffered a loss not easily to be repaired, and that if the Divine Ruler of the universe views with satisfaction the life of an honest man concerned in the affairs of his fellow-men, this man is sure of a high reward, for of such as he is it said, "Mark the perfect man, and behold the upright, for the end of that man is peace."

Resolved, That these resolutions be extended at length on the records of the house, and that a copy thereof be sent to the family of our late fellow member.

In House of Representatives, adopted, April 17, 1900.

RESOLUTIONS RELATIVE TO THE PURCHASE OF TEMPLE FARM AND MOORE HOUSE AT YORKTOWN, VIRGINIA, BY THE UNITED STATES GOVERNMENT.

Relative to the purchase of Temple Farm and Moore House at Yorktown, Virginia, by the United States government.

Whereas, The Moore House and Temple Farm upon which it is situated at Yorktown, Virginia, will carry with them through all time memories of the siege and victory by which the allied armies of France and the American colonies secured the independence of our nation; and

Whereas, It is reported that the property can at this time be bought for a nominal sum, and it is believed that the product of the farm will be sufficient to keep the buildings in repair, and the buildings are so situated as to be well adapted for government purposes on occasions of naval inspection and reviews on York river; be it

Resolved, That the senators and representatives in congress from this Commonwealth be and are hereby requested to consider and, if in their judgment they can wisely do so, to support a bill for the purchase of Temple Farm and Moore House at Yorktown, Virginia, by the government of the United States of America: *provided*, that the cost of the said farm with its improvements shall not exceed a reasonable sum. And be it

Resolved, That properly attested copies of these resolutions be sent to the senators and representatives in congress from this Commonwealth.

In House of Representatives, adopted, May 29, 1900.

In Senate, adopted in concurrence, June 4, 1900.

RESOLUTIONS RELATIVE TO THE WAR IN SOUTH AFRICA.

Relative to the war in South Africa.

Resolved, That the Commonwealth of Massachusetts congratulates President McKinley upon his humane offer to mediate with a view of putting an end to the war now going on in South Africa between Great Britain and the inhabitants of the South African Republic and the Orange Free State; and hopes that peace may soon be restored, upon conditions which will be honorable to Great Britain and to the South African republics.

Resolved, That the secretary of the Commonwealth be

directed to send a copy of these resolutions to President McKinley, and to each of the senators and representatives in congress from this Commonwealth.

In Senate, adopted, June 1, 1900.

In House of Representatives, adopted in concurrence, June 12, 1900.

The general court of 1900, during its annual session, passed 479 acts and 108 resolves which received the approval of his excellency the governor.

Nine acts, entitled, respectively, "An Act relative to the fire department of the city of Boston," "An Act relative to the building at the corner of St. James Avenue and Trinity Place, in the city of Boston," "An Act relative to the system of playgrounds for the city of Boston," "An Act to authorize the park commissioners of the city of Boston to establish a park or playground in South Boston," "An Act to authorize the city of Boston to incur indebtedness for a municipal building in South Boston," "An Act to authorize the city of Boston to incur indebtedness for the purpose of building and furnishing additional schoolhouses and taking land therefor," "An Act relative to the support of state poor by cities and towns," "An Act to authorize and direct the metropolitan park commission to complete its takings along the shore of the city of Lynn and in the towns of Swampscott and Nahant, and to construct the driveway in connection therewith," and "An Act to provide for the construction of certain parkways by the Metropolitan Park Commission," were passed and laid before the governor for his approval, and were returned by him, with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on passing the same, the objections of the governor to the contrary notwithstanding, they were rejected, two thirds of the members present and voting thereon not having voted in the affirmative.

The general court was prorogued on Tuesday, July 17, at 6.37 P.M., the session having occupied 196 days.

INAUGURAL ADDRESS

OF

HIS EXCELLENCY W. MURRAY CRANE.

At twelve o'clock on Thursday, the fourth day of January, his excellency the governor, accompanied by his honor the lieutenant governor, the members of the executive council, and officers of the civil and military departments of the government, met the senate and house of representatives, in convention, and delivered the following

ADDRESS.

Members of the General Court of Massachusetts :

Believing that the financial condition of the Commonwealth is the most important subject to engage your attention it is my purpose to present for your information and consideration a full statement of the facts as I have found them after a careful examination.

The gross debt of the state is divided into two classes : — The indebtedness for which the whole state is directly liable, and the indebtedness for the payment of which certain cities and towns are liable. These two classes of indebtedness may be described for convenience as the actual state debt and the contingent debt. From each of these classes of indebtedness must be deducted the accumulations in the sinking funds applicable to them, in order to show the net actual state debt and the net contingent debt. The details are as follows : —

THE GROSS DEBT — ACTUAL AND CONTINGENT.

The gross debt in detail Jan. 1, 1900, was as follows :—

Abolition of Grade Crossings Loan, due 1929,	\$8,000,000 00
Armory Loan, due 1927,	1,460,000 00
Fitchburg Railroad Securities Loan, due 1913,	5,000,000 00
Harbor Improvement Loan, due 1937,	500,000 00
Massachusetts Hospital for Consumptives Loan, due 1925,	172,500 00
Massachusetts Hospital for Epileptics Loan, due 1925,	245,000 00
Massachusetts War Loan, due 1928 (Spanish war),	1,135,000 00
Medfield Insane Asylum Loan, due 1927,	1,025,000 00
Metropolitan Parks Loan, due 1939,	6,725,000 00
Metropolitan Parks Loan, Series Two, due 1939,	2,700,000 00
Metropolitan Sewerage Loan, due 1930,	6,130,000 00
Metropolitan Sewerage Loan (high level), due 1939,	1,000,000 00
Metropolitan Sewerage Loan, Neponset System, due 1936,	860,000 00
Metropolitan Water Loan, due 1939,	20,000,000 00
State Highway Loan, due 1929,	2,700,000 00
State House Loan, due 1901,	2,335,000 00
State House Construction Loan, due 1918,	3,225,000 00
State House Construction Loan, Memorial Hall, due 1916,	250,000 00
State House Construction Loan, Bulfinch Front, due 1916,	375,000 00
Total gross debt,	\$63,837,500 00

THE TOTAL ACTUAL STATE DEBT.

The total actual state debt is made up of the following loans :—

Abolition of Grade Crossings Loan,	\$8,000,000 00
Harbor Improvement Loan,	500,000 00
Massachusetts Hospital for Consumptives Loan,	172,500 00
Massachusetts Hospital for Epileptics Loan,	245,000 00
Massachusetts War Loan,	1,135,000 00
Medfield Insane Asylum Loan,	1,025,000 00
Metropolitan Parks Loan, Series Two,	1,350,000 00
State Highway Loan,	2,700,000 00
Four State House Loans,	6,185,000 00
Total actual state debt,	\$21,312,000 00

It will be observed that the largest loan in the total actual state debt is \$8,000,000, for the abolition of grade crossings. In 1885, in response to a general public demand, the legislature initiated a policy for the abolition of grade crossings, the expense to be borne by the railroads, the Commonwealth and the cities and towns in which the crossings were situated. In the beginning the Commonwealth's share in the expense was limited to \$500,000 per annum, but by subsequent legislation this provision was repealed, and a limit of \$5,000,000 was established as the total indebtedness which the state can assume at one time for grade crossing purposes. One exception has been made to this rule. When the great work of abolishing the grade crossings on the Providence division of the New York, New Haven and Hartford railroad, in Boston, Hyde Park and Dedham, was undertaken, the legislature passed a special act, authorizing the Commonwealth to exceed the \$5,000,000 limit by an extra issue of bonds to the amount of \$3,000,000. This explains the total issue of \$8,000,000.

The next largest item is \$6,185,000, for the construction of the extension to the state house and for the preservation of the Bulfinch Front. What the Commonwealth has to show in return for this expenditure is known to every one.

The Harbor Improvement Loan of \$500,000 is the Commonwealth's contribution in aid of the development of the commerce of the port of Boston. Of this loan, \$400,000 has been appropriated to build a pier and dock on the Commonwealth's property at South Boston, and \$100,000 to purchase a portion of the foreshore of the harbor at East Boston.

Of the Metropolitan Parks Loan, Series Two, \$2,700,000, issued for the building of boulevards and roadways, one half, namely, \$1,350,000, is assessed upon the state at large, the other half upon the cities and towns in the metropolitan parks district.

The other loans enumerated in the total actual state debt indicate on their face the purposes for which they were issued.

From the total actual state debt, \$21,312,500, is to be deducted, to ascertain the net actual state debt, the sums which have accumulated in the various sinking funds pledged to the payment of the loans enumerated,

The sinking funds applicable to the total actual state debt are :—

Abolition of Grade Crossings Loan,	\$688,805 40
Harbor Improvement Loan,	59,682 07
Massachusetts War Loan,	24,393 25
Medfield Insane Asylum Loan,	212,367 74
Prison and Hospital Loan,	30,014 82
State Highway Loan,	260,517 62
Four State House Loans,	3,172,549 06
Total,	<u>\$4,443,329 96</u>

Deducting \$4,443,329.96, the accumulations in the sinking funds, from the total actual state debt, \$21,312,500, the net actual state debt is found to be \$16,869,171.04.

The net actual state debt for five years is as follows, from which the rate of increase can be seen :—

Jan. 1, 1896,	\$6,140,380 10
Jan. 1, 1897,	10,766,648 03
Jan. 1, 1898,	12,462,378 82
Jan. 1, 1899,	14,698,964 24
Jan. 1, 1900,	16,869,171 04

THE TOTAL CONTINGENT DEBT.

The total contingent debt is as follows :—

Armory Loan,	\$1,460,000 00
Fitchburg Railroad Securities Loan,	5,000,000 00
Metropolitan Parks Loans,	8,075,000 00
Metropolitan Sewerage Loans,	7,990,000 00
Metropolitan Water Loan,	20,000,000 00
Total contingent debt,	<u>\$42,525,000 00</u>

The interest and sinking fund requirements for the Armory Loan are assessed upon the cities in which the armories are located, namely, Boston (2), Worcester, Lowell, Fitchburg, Lawrence, Lynn, Springfield and Fall River.

The history of the Fitchburg Railroad Securities Loan is as follows :— During the year 1894 the Bounty Loan Bonds, the Troy & Greenfield Railroad Bonds and the Danvers Lunatic Hospital Bonds, in all \$9,602,148.90,

became due, and it was necessary that action should be taken for the disposal of the securities in the several sinking funds pledged for the redemption of these bonds. Among these securities were bonds of the Fitchburg Railroad Company, issued in 1887, running fifty years, and bearing interest at the rate of three per cent for the first five years, three and one half per cent for the second five years and four per cent for the remainder of the time. The amount of the bonds was \$5,000,000. In the financial condition of the country at that time it did not appear to be good public policy to put these bonds on the market, therefore, under authority of law, the treasurer and receiver general issued scrip to the amount of \$5,000,000 bearing interest at the rate of three and one half per cent per annum, to run twenty years, and established a sinking fund, into which was put the \$5,000,000 of bonds of the Fitchburg Railroad Company, as well as the 50,000 shares of the common stock of that company, owned by the Commonwealth, and they constitute a fund for the redemption of said scrip. This sinking fund being established and the interest paid without cost to the Commonwealth, there is practically no net liability.

As the Commonwealth derives no income from the 50,000 shares of common stock of the Fitchburg Railroad Company, those shares have not been carried on the books of the treasurer and receiver general as an asset.

The remaining loans enumerated in the contingent debt are to be paid from assessments levied on the cities and towns in the metropolitan parks, sewerage and water districts.

The accumulations in the sinking funds applicable to the payment of the total contingent debt are:—

Armory Loan,	. . . . .	\$408,418 70
Fitchburg Railroad Securities Loan,	. . . . .	5,000,000 00
Metropolitan Parks Loans,	. . . . .	393,015 16
Metropolitan Sewerage Loans,	. . . . .	361,416 59
Metropolitan Water Loan,	. . . . .	1,349,332 97
Total,	. . . . .	<u>\$7,512,183 42</u>

Deducting the \$7,512,183.42 in the sinking funds from the amount of the total contingent debt, \$42,525,000, the net contingent debt is found to be \$35,012,816.58. Of this debt \$33,961,235.28 is to be assessed on the cities

and towns in the metropolitan water, sewer and parks districts.

The lesson which the figures of this debt statement teach is, that Massachusetts has reached a limit of indebtedness beyond which she should not go. It is time to call a halt. In looking over these items it will be found in almost every instance that the object is a worthy one, and I have no doubt the Commonwealth has received full value for the moneys expended. The question for us to consider, however, is, not the propriety of past expenditures, but to take heed of the conditions which now confront us. The Commonwealth needs a breathing spell for financial recuperation. This is doubly true of the metropolitan district. The cities and towns in that district are just beginning to feel the burdens in the way of taxation which the great enterprises undertaken for their benefit have thrown upon them. It was necessary that there should have been an increased water supply, improved drainage and sanitation, and it was a wise foresight that projected the great parks that now adorn the metropolitan district; but the time has come when no new work in these directions should be authorized. I recommend that a stop be made at once to the authorization of expenditures for new work in this district. I cannot too strongly urge this matter upon your attention. Rigid economy must be exercised in appropriations and expenditures.

THE METROPOLITAN DISTRICT.

Satisfactory progress has been made in the operations of the metropolitan water board. The waters of the south branch of the Nashua river, which have been made available by the new works constructed by the board, and the Cochituate and Sudbury supplies, formerly belonging to the city of Boston, were found sufficient to meet the demands of the metropolitan water district, notwithstanding the excessive drought of the past year. The result, however, has shown that the operations of the board were begun and brought to their present stage none too soon. The yield of water in the watersheds during the four warmer months of 1899 was so small that, had not the additional supply been utilized by the new works, various portions of the metropolitan water district would have suffered severely from the scarcity of water.

The town of Arlington has been admitted into the district, which now comprises eight cities and eight towns, besides the town of Swampscott, which, though outside of the district as established, is supplied with water. The population of the district as now constituted is nearly one third of the population of the state. Including the cities and towns comprised and the other municipalities made eligible for admission under the terms of the act, the district would contain a population of 1,100,000.

The Metropolitan Parks Loans are to be repaid to the Commonwealth by a sinking fund made up of annual payments by the thirty-seven cities and towns constituting the metropolitan parks district, according to an apportionment to be made every five years, beginning in 1900, by a special commission to be appointed by the supreme judicial court. From this arrangement is excepted one half of the loan known as series two, namely, \$1,350,000, which is to be paid by the Commonwealth. In the payment of the Nantasket beach loan of \$600,000, the town of Cohasset is joined to the cities and towns which constitute the metropolitan parks district.

The total amount assessable on these cities and towns is \$8,075,000. The assessment each year must be provided by appropriation made by the legislature, to be included in the annual state tax of the cities and towns liable to make payment. Beginning this year, then, the cities and towns in the metropolitan parks district will begin to discharge the debt they have assumed for the establishment and maintenance of this great park system.

From the loans issued on metropolitan parks account there remains at present in the hands of the treasurer and receiver general \$2,142,888.91. I am advised by the commission that this balance will all be required to pay for lands taken or in process of taking and for work of construction now decided upon.

By act of the legislature the time for beginning payments for metropolitan parks expenditures has been once postponed; but, with the work of acquirement so nearly completed, there seems now to be no good reason why payments into the sinking fund should not begin this year. If the required payments are found to be too severe an annual tax, an extension of the number of years during which payment shall be made would appear

to be the remedy, rather than a further postponement of the time for beginning to make the payments.

The three large metropolitan sewerage systems (North, Charles river and Neponset valley) are now fully completed. The cost of construction of these systems to Sept. 30, 1899, is as follows:—North system, \$5,262,397.68; Charles river, \$787,134.27; Neponset valley, \$840,444.73. It is believed that the balances of the appropriations now to the credit of these systems will fully pay all liabilities incurred, except possibly such sums as may eventually be recovered in cases now pending in court for damages for land taken for sewer purposes.

The high-level sewer, authorized by the legislature of 1899, to relieve the Charles river and Neponset valley sewers, is the only remaining work of construction in the hands of the commission. It is believed that no further appropriation will be required for the construction of this sewer.

STATE INSTITUTIONS.

The protection which the Commonwealth has ever extended to her unfortunate dependents forms a bright chapter in her history. At no time has this careful solicitude been more manifest than in the present hour. In the discharge of public duty it has been my privilege to visit all of the public charitable institutions of the Commonwealth, and it is a pleasure to me to bear witness to the general excellence of their management, the convenience, cleanliness and attractiveness of the accommodations provided, and the evident contentment of the inmates.

During the year the new building for the epileptic hospital at Monson and the extension to the insane hospital at Northampton were completed.

In October, 1898, the supervision of the insane passed under the control of the new state board of insanity. The board has now had a full year to complete its organization, to familiarize itself with the institutions under its supervision, and to mature plans for the future.

The legislature of 1898 directed the board to report a plan for the care and support of the insane poor who, under existing laws, are cared for by or supported at the expense of the cities and towns of the Commonwealth,

including a statement of what building or buildings are needed to accommodate such insane persons; also suggestions for the remedial treatment of recoverable cases of insanity in a hospital set apart for such treatment, and to which no other cases of insanity shall be committed; and, furthermore, a plan by which convalescing insane patients, during the period of recovery, shall have ample opportunity of association with sane people and be freed from association with insane people.

The report of the board is completed and will be laid before you at once.

In the present state of the law no central authority is vested with the duty of inspecting the city and town almshouses of the Commonwealth. These institutions are supervised by the board of insanity only so far as they are "receptacles for insane or feeble-minded patients;" but there is no provision for their general oversight as pauper institutions, and so a considerable number of them are exempt from outside inspection. I recommend that the state board of charity be required to visit and inspect all city and town almshouses and report annually their condition to the general court.

COMMISSIONS.

The system of administrative control by commissions has had a large development in this Commonwealth. I believe in the main that the duties committed to these commissions have been faithfully, wisely and efficiently discharged. Inquiry and reflection, however, have confirmed an opinion for some time held by me that the best interests of the public service will be advanced by a revision of some of the commissions, and I recommend this important subject to your careful consideration.

EDUCATION.

A supreme interest is that of the public schools. The board of education reports that their average membership for the last school year was 390,000, and their average attendance ninety-two per cent thereof, or 360,317. Exclusive of expenditures on school buildings, their cost was \$10,286,528, or \$26.31 for each child in the average membership. Inclusive of expenditures on school buildings their cost was \$13,889,838.

The importance of providing the schools with efficient teachers cannot be overestimated. To insure such teachers, two policies seem to be imperative, — that of promoting the proper training of teachers for service on the one hand, and that of securing the proper selection of teachers, with discreet support and guidance of them, on the other. For the execution of the former policy, we have our normal schools; for the execution of the latter, our superintendents of schools, working under the direction of school committees. The large increase in the attendance upon the normal schools attests the popular estimate of their high standards of admission and their enlarged facilities for effective work. The voluntary extension of expert supervision, so that to-day ninety-five per cent of the public schools are enjoying its benefits, is an endorsement of its worth. The practice of supervision by superintendents should, as soon as practicable, be made the permanent policy of the Commonwealth.

LIFE INSURANCE.

One of the most important acts of the legislature of 1899 was the statute "Relative to domestic and foreign mutual assessment life insurance corporations." This act, while it confirmed to such corporations the right to carry out their contracts already lawfully made, provided that companies of this class, both domestic and foreign, might qualify under the law relating to life insurance companies, thus becoming subject to the provisions requiring life insurance contracts to be protected by an adequate reserve. Most of the companies affected by the new statute have so qualified, and the selling of life insurance on the assessment plan by corporations operating for profit has ceased in this Commonwealth. It is a matter for congratulation that this cheerless chapter of life insurance experience in Massachusetts is closed. It will be a matter for further congratulation if its admonitions are taken to heart by all in authority, and the public protected from the operation for private gain of unsound and unstable enterprises of like character.

The legislature of last year amended also the law regulating the fraternal societies now operating in this Commonwealth. As a whole it lessened the restraint put upon them, leaving them with a larger measure of free-

dom to work out their own purposes. When these societies are fraternal and mutual in act as well as in name there would seem to be no reason why they should not be permitted, under proper legal restrictions, to continue to furnish pecuniary aid to their members and their dependents.

BOSTON HARBOR.

The growing commerce of the port of Boston requires greatly increased facilities. The state, through its harbor and land commissioners, has spent large sums of money in deepening the inner harbor, and is now building a pier and dock at South Boston suitable for the largest steamships. The channels already planned by the national government are not adequate to accommodate properly the large steamships now building and congress should be called upon by the legislature to provide for the harbor of Boston channels well buoyed and lighted, not less than 1,200 feet wide and 35 feet deep at mean low water from its wharves to the sea.

THE HIGHWAY COMMISSION.

For the construction and maintenance of state highways the Commonwealth has expended \$3,000,000, and the debt on this account is now \$2,700,000. If the work of the state highway commission is to be continued indefinitely it is important that a well-matured plan for future operations should be sanctioned. As far as possible it should be known what the scope and extent of the work is to be, what will be its probable cost, and I believe it would be wise to establish a limit of expenditure which the Commonwealth should not exceed.

In any event the present method of caring for state highways after their construction should be remedied. I think it is only fair and equitable that the expense of maintenance should be assessed upon the counties, cities and towns. The Commonwealth ought not to be required, after paying seventy-five per cent of the cost of construction, to keep the highways in repair. Moreover the highways should be under local control, and I recommend that the cost of maintenance be assessed upon the counties and the cities and towns in which the highways are located, in such proportion as you may deem advisable.

AGRICULTURE.

The farmers of Massachusetts, beset by many difficulties of soil and climate, deserve encouragement for their intelligent industry and successful work. Any advantage that can come to agriculture is a benefit to the state, and measures designed to stimulate activity in this most important branch of productive industry are deserving of your careful consideration.

TEMPERANCE.

Attempts are made nearly every year to repeal or modify provisions of the laws regulating the sale of intoxicating liquors. I urge that the restrictive features of those laws be preserved without abatement or modification.

MILITIA.

The sixth infantry returned from the service of the United States in January, 1899; the fifth infantry, in April; and the eighth infantry, in May. All at once reported back to the militia. The reorganization, after the war, was begun in January. A majority of the men who volunteered for the Spanish war returned to the state service. It is confidently expected that another year of zealous endeavor will restore the militia to its former high standard.

BOSTON TRANSIT COMMISSION.

By the completion of the Charlestown bridge, which was opened to public travel on the 27th of November, the Boston transit commission finished its construction work under the act of 1894, by which the commission was created. In order to provide for building a tunnel to East Boston, and for other subway work in connection with and growing out of the construction of the Boston elevated railway, the term of the commission was, by an act of the legislature of 1899, extended for three years. On the 3d of July last the supreme judicial court rendered a decision interpreting the meaning of the words "a suitable connection with the subway," as used in the act of 1897. The question of the constitutionality of the act was not, however, passed upon, and that question is now

before the court, and it is expected to be argued at the present term. Until a decision upon that question is reached work upon the tunnel cannot properly begin, and when a decision is rendered additional legislation may be required.

MUNICIPAL LEGISLATION.

I renew the recommendation of my predecessor in opposition to the tendency to appeal to the legislature to interfere in municipal affairs. Cities and towns should be let alone to work out their own municipal problems. It is in the end no kindness to them to be granted authority by the Commonwealth to assume financial burdens which are prohibited by general laws. A wiser policy would be to compel them to live within their means, the legislature interposing its superior authority only when it is clear that an extraordinary exigency exists.

Senators and representatives: — You meet in the closing year of a century remarkable for its intellectual, social and material progress. In rounding out this important division of time let us hope that prudence, justice and honor may guide your labors in serving what every son of Massachusetts must ever believe to be the fairest and best of commonwealths.

SPECIAL MESSAGES.

THE FOLLOWING SPECIAL COMMUNICATIONS WERE MADE BY HIS
EXCELLENCY THE GOVERNOR TO THE LEGISLATURE
DURING THE ANNUAL SESSION.

[To the senate and house of representatives, January 8, 1900.]

I have the honor to transmit herewith to the general court a report of the pardons granted in 1899, left with me by my predecessor in office.

W. MURRAY CRANE.

[January 3, 1900.]

I have the honor herewith to present, in compliance with chapter 50 of the resolves of 1860, a report of the twenty-eight pardons issued by the governor, with the advice of the council, during the year of my administration just closing. Of the number thus released, four were in the state prison, five in the Massachusetts reformatory, one in the reformatory prison for women, and eighteen in houses of correction. Sickness was the controlling reason for the discharge of nine, three of whom have since died.

ROGER WOLCOTT.

No. 1. LEWIS PIERCE. Convicted of robbery, Superior Court, Plymouth county, June 24, 1898. Sentenced to the state prison on a three to four years' sentence. Pardoned Jan. 18, 1899, on the ground of innocence, upon the recommendation of the district attorney, who had very carefully investigated the case since the trial and discovered evidence which led him to believe that Pierce could not have committed the crime. It was evidently a case of mistaken identity.

Pardons.

No. 2. MARY GIBBONS. Convicted of adultery, Superior Court, Middlesex county, Feb. 24, 1898. Sentenced to the house of correction for eighteen months. Pardoned Feb. 8, 1899. The prisoner had pulmonary tuberculosis, with no possible hope of cure. She died October 5.

No. 3. MARY KENNEDY, *alias* McCARR. Convicted of adultery, Superior Court, Worcester county, August term, 1897. Sentenced to the house of correction for three years. Pardoned Feb. 3, 1899, upon the recommendation of the district attorney, sheriff, chaplain and matron of the house of correction, on the ground that she had been sufficiently punished and would hereafter lead a moral life. The usual sentence for such a crime does not exceed eighteen months.

No. 4. ELLA A. BATES. Convicted of abortion, Superior Court, Suffolk county, February term, 1896. Sentenced to the reformatory prison for women for seven years and transferred to the house of correction. Pardoned March 2, 1899. This woman had been in the hospital for six months, suffering from cancer of the stomach. She was pardoned that she might die with her friends.

No. 5. MORRIS PRELM. Convicted of violation of law prohibiting admission of minors to a pool room, Second District Court, Bristol county, Feb. 4, 1899. Sentenced on eighteen complaints to pay a fine of \$350 or to stand committed for seven hundred and ten days. Pardoned March 8, 1899. The prisoner was simply a temporary employee in the pool room and in no way responsible for the control of the room. If he had been properly defended by counsel the cases would undoubtedly have been placed on file. The mayor and many of the city officials and prominent citizens of Fall River urged the granting of a pardon.

No. 6. CLIFTON J. WHITE. Convicted of breaking and entering, Second District Court, Middlesex county, Nov. 30, 1898. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned April 12, 1899, upon the recommendation of the justice of the second district court and the commissioners of prisons, on

the ground that the prisoner, who was but sixteen years of age and had previously borne a good reputation, had been sufficiently punished. Pardons.

No. 7. FRANK E. HERRICK. Convicted of assault, Superior Court, Worcester county, Feb. 2, 1897. Sentenced to the house of correction for four years. Pardoned May 10, 1899. There were circumstances connected with the case which, if presented at the trial, would without doubt have lessened the sentence. The district attorney believed "that his imprisonment had worked its full reformatory effect upon him."

No. 8. JOHN MANGAN. Convicted of drunkenness, Superior Court, Suffolk county, Feb. 18, 1899. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Transferred to the state asylum for insane criminals. Pardoned May 10, 1899, to be removed to a private hospital for treatment.

No. 9. ABRAM ORENTLICHER. Convicted of larceny, Superior Court, Suffolk county, March 17, 1899. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned May 10, 1899. The prisoner was suffering from pulmonary tuberculosis, and had recently had several hemorrhages. The reformatory physician stated that he was in the advanced stages of consumption. He died a few weeks after his release.

Nos. 10 and 11. WOO TONG and SAM SING. Convicted of rape, Superior Court, Worcester county, May 20, 1896. Sentenced to the state prison for eight to twelve and seven to ten years respectively. Pardoned May 20, 1899, upon the recommendation of many of the best citizens of Worcester. It had been learned since the trial that the complainant and principal witness was notoriously unchaste, and that the prisoners were guilty of a far less serious crime than that for which they were sentenced. The district attorney certified that in his opinion "the men should be pardoned when a period of three years of the sentence has elapsed. If the facts now known with regard to the complainant had been known to the court, I think the sentences would not have exceeded three years."

Pardons.

No. 12. JAMES FOGARTY. Convicted of violation of the license law, Municipal Court, South Boston, March 22, 1899. Sentenced to pay a fine of \$50. Pardoned June 3, 1899, upon the recommendation of judge Fallon, who imposed the sentence. Fogarty was entirely unable to pay the fine, and had a wife and seven children suffering for the necessities of life, owing to his imprisonment. This was his first offence.

No. 13. LEBIE BOIARSKY. Convicted of manslaughter, Superior Court, Suffolk county, Oct. 19, 1898. Sentenced to the reformatory prison for women for two years for killing her illegitimate child. Transferred to the Worcester insane hospital March 1, 1899. Pardoned June 10, 1899, upon the recommendation of the commissioners of prisons, to be sent to her home in Russia. She was probably of unsound mind when arrested and had been adjudged by experts as feeble-minded.

No. 14. WILLIAM T. LOUGHLIN. Convicted of violation of the license law, three complaints, Superior Court, Suffolk county, Sept. 29, 1898. Sentenced to five months in the house of correction and to pay a fine of \$150. Pardoned June 14, 1899. The three cases arose at the same time and were in regard to the same subject matter. He had already been imprisoned more than eight months and was unable to pay the fine. The district attorney was of the opinion that he had been sufficiently punished and that he would not offend in this way again.

No. 15. HARRY V. TYLER. Convicted of breaking and entering, Superior Court, Essex county, May 18, 1899. Sentenced to the house of correction for six months. Pardoned July 5, 1899, upon the recommendation of the district attorney and sheriff of Essex county, the prison physician and city marshal of Lynn. Tyler was in an advanced stage of consumption.

No. 16. PATRICK KILLEREN. Convicted of receiving stolen goods, Superior Court, Berkshire county, Jan. 19, 1899. Sentenced to the house of correction for one year. Pardoned July 6, 1899, upon the recommendation of the county commissioners. The prison physician certified that this prisoner was ill with consumption and rapidly failing.

No. 17. ADAM BOCUMSKY. Convicted of assault and battery with a knife, Superior Court, Suffolk county, Sept. 19, 1898. Sentenced to the house of correction for one year. Pardoned July 20, 1899, upon the recommendation of the district attorney, who stated that "he had previously borne a good reputation," and in his opinion "the interests of justice would not suffer by his release." The assault was made with a common pocket knife and the injury inflicted was very slight. Pardons.

No. 18. LOUIS DAVIDSON. Convicted of assault, Superior Court, Suffolk county, April 28, 1899. Sentenced to the house of correction for one year. Pardoned Sept. 6, 1899, upon the recommendation of the district attorney and the complainant. No physical injury was inflicted. The prisoner's wife (who was soon to be confined) and child were without support by reason of his imprisonment.

No. 19. FRANK J. NEY. Convicted of vagrancy, Police Court, Lowell, Sept. 2, 1898. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned Sept. 13, 1899. Ney was but sixteen years of age when arrested. He ran away from his home in Iowa and was arrested as a vagrant in Lowell. The pardon committee were of the opinion that he had been sufficiently punished for his escapade. He returned immediately to his home in Iowa.

No. 20. WARREN A. SELLON. Convicted of larceny, Superior Court, Plymouth county, Feb. 16, 1898. Sentenced to the house of correction for two years. Pardoned Oct. 5, 1899, upon the recommendation of district attorney Harris, who certified that "it seems to me that the public interests will not suffer, and probably will be advanced, by extending clemency." His friends stood ready to give him employment as soon as released.

No. 21. JULIA MURRAY. Convicted of lewd and lascivious cohabitation, Superior Court, Worcester county, Aug. 18, 1898. Sentenced to the house of correction for eighteen months. Pardoned Oct. 5, 1899, upon the recommendation of the district attorney, the prison physician and probation officer. She was suffering from chronic bronchitis, probably the beginning of consumption. She was sent to her friends in Connecticut.

Pardons.

No. 22. SUMNER BRUCE. Convicted of breaking and entering and larceny, Superior Court, Essex county, Feb. 2, 1899. Sentenced to the state prison for from three to four years. Pardoned Nov. 4, 1899, upon the recommendation of the prison physician. Bruce was in the last stage of consumption, with no possible chance of his recovery. He died November 22.

No. 23. WALTER H. POWELL. Convicted of breaking and entering, Superior Court, Essex county, Feb. 4, 1899. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned Nov. 10, 1899. The prison physician certified that Powell was suffering from pulmonary tuberculosis and that his death was a matter of a short time.

No. 24. BURTON L. MINZEY. Convicted of felonious assault, Superior Court, Norfolk county, April 13, 1899. Sentenced to the house of correction for two years. Pardoned Nov. 15, 1899, upon the recommendation of the district attorney, on the ground of newly discovered evidence favorable to the prisoner. He certified that "there is reasonable doubt about the justice of the verdict. I think the defendant should be given the benefit of this doubt." The prisoner has always protested his innocence.

No. 25. JAMES RENESKI. Convicted of adultery, Superior Court, Essex county, May 17, 1899. Sentenced to the house of correction for eighteen months. Pardoned Nov. 17, 1899. The district attorney recommended that a pardon be granted after he had served six months of his sentence, on the ground that his wife was willing to take him back to live with her and that his family needed his assistance.

No. 26. JAMES E. WATERS. Convicted of lascivious cohabitation, Superior Court, Suffolk county, May term, 1899. Sentenced to the house of correction for eighteen months. Pardoned Nov. 18, 1899, upon the recommendation of the district attorney and the wife of the prisoner. Previous to this offence his reputation had been good. His wife, who was in very poor health, had condoned the offence and was anxious to live with him again.

No. 27. DENNIS F. CORCORAN. Convicted of assault, ^{Pardons.} Superior Court, Worcester county, Oct. 20, 1898. Sentenced to the house of correction for two years. Pardoned Nov. 29, 1899, upon the recommendation of nearly all the leading citizens of Millville, in the town of Blackstone, where the offence was committed. Corcoran, who was a constable of the town of Blackstone, had procured a warrant for the arrest of one Burns. In attempting to arrest Burns he was knocked down and pounded on his head with a stone. Half crazed from the blows he had received upon his head, which was then covered with blood, he took his revolver (which he carried as an officer) from his pocket and chased Burns, firing two shots, one of which struck him in the fleshy part of the thigh, inflicting a slight wound. Corcoran pleaded guilty by advice of counsel upon the supposition that he would be released upon the payment of a light fine. It was believed that, considering the circumstances surrounding the case, the ends of justice had been served by the thirteen months' imprisonment he had already suffered.

No. 28. GEORGE BALLENTINE. Convicted of larceny, Superior Court, Suffolk county, March 14, 1898. Sentenced to the house of correction for three years. Pardoned Nov. 29, 1899, upon the recommendation of the district attorney. This was the prisoner's first offence and was committed when he was intoxicated. It appeared by the evidence at the trial that he had removed from a nail a coat and vest, as though about to take them away. The district attorney felt that the nineteen months' imprisonment already served was sufficient punishment.

[To the honorable senate and house of representatives, January 23, 1900.]

I have the honor to transmit herewith for your consideration a communication, accompanied by a draft of a bill, received from the Hon. Elihu Root, secretary of war of the United States, requesting the consent of the Commonwealth to the acquisition by the United States of a tract of land to be used as a site for buildings for the garrison of the seacoast batteries on Long Island in Boston harbor.

[To the honorable senate and house of representatives, January 26, 1900.]

I have the honor to transmit herewith for your consideration the eighth and ninth annual reports of the board of commissioners for the promotion of uniformity of legislation in the United States.

[To the honorable senate and house of representatives, February 1, 1900.]

It is my sad duty to announce to the general court the death of Oliver H. Durrell, a member of the executive council for the third district, at his home in Cambridge last night. In his death the Commonwealth has lost the services of a man admirably fitted for important official station, one who in private life had achieved reputation and honor in the conduct of business affairs, and whose broad sympathies and generous impulses led him to feel a zealous concern for every worthy public interest.

[To the honorable senate and house of representatives, February 13, 1900.]

I have the honor to transmit herewith a communication addressed to me by General John W. Kimball, auditor of accounts, inviting attention to an existing necessity for legislation in aid of the Massachusetts War Loan Sinking Fund. I urge favorable consideration of the recommendation of the auditor, that all moneys received from the United States government on account of the war with Spain shall be deposited in the sinking fund established to redeem the bonds issued by the Commonwealth to defray expenses incurred in connection with that war.

[To the honorable senate and house of representatives, February 21, 1900.]

I have the honor to invite your attention to the accompanying request of the Hon. John D. Long, secretary of the navy, for a cession of jurisdiction to the United States of a strip of land near the main entrance to the navy yard in the city of Boston.

[To the honorable senate and house of representatives, April 10, 1900.]

I transmit herewith a proposition with accompanying papers made to the governor and council by the Boston and Maine Railroad for a lease of the property of the Fitchburg Railroad Company to the Boston and Maine Railroad, and for a sale to the latter corporation of the

shares of common stock of the Fitchburg Railroad Company held by the Commonwealth, and by such individuals as desire to sell their holdings. I also transmit copies of votes adopted by the governor and council conditionally accepting such proposition, together with authenticated copies of the votes of the stockholders of each of said railroad corporations providing respectively for such lease and sale of common stock. Neither the lease nor the sale takes effect until approved by the legislature. I submit the matter, therefore, for your consideration.

In case the proceedings shall be approved by the legislature, I recommend that a provision be inserted in the bill ratifying the same which shall protect the rights of dissenting minority stockholders of the contracting corporations, similar to the provision contained in chapter one hundred and eighty-five of the acts of the year eighteen hundred and ninety, authorizing the purchase by the Boston and Maine Railroad of the property and franchise of the Eastern Railroad Company.

[To the honorable senate and house of representatives, April 26, 1900.]

I return herewith an act entitled "An Act relative to the fire department of the city of Boston," with my objections thereto in writing.

The object of this bill is to provide for the appointment of call substitutes, who have received the pay of call members, to the permanent force of the Boston fire department, without the requirement of a civil service examination. Since the establishment of the civil service system in this Commonwealth, no appointment has been made to the regular force of this department, except from an eligible list, and upon the certification of the civil service commission. Call substitutes are not regular members of the department. They are appointed by the fire commissioner, without preliminary examination of any kind, to furnish an emergency force to assist the department in certain sections of the city of Boston. There are now in the department forty-three call substitutes who have received the pay of call members, and if this bill should become a law it would be possible, in the hands of a weak, designing or obedient fire commissioner, to recruit exclusively new members of the force from this class of employees. This opens a door which, it seems to me, should not only be kept shut, but securely locked. In the fire department,

of all places of public employment, rigorous physical tests should be applied, to say nothing of the desirability of an examination to prove mental capacity.

A bill similar to this was vetoed by my predecessor in 1898. As between the two, there is a difference of only one unimportant phrase, a change that in no material degree improves the character of the bill which I find myself unable to approve.

[To the honorable senate and house of representatives, June 15, 1900.]

I return herewith an act entitled "An Act relative to the building at the corner of St. James Avenue and Trinity Place in the city of Boston," with my objections thereto in writing.

The legislature of 1898 passed an act restricting to ninety feet the height of any building to be erected on certain streets adjacent to Copley square in the city of Boston, and the purpose of the bill before me is to exempt from the provisions of that act the building at the corner of St. James avenue and Trinity place, known as the Westminster Chambers. At the time of the enactment of the statute the building had not reached the height of ninety feet; but notwithstanding its passage the erection of the building was continued until it reached its present height of ninety-six feet; and it is this violation of the statute which the bill before me is intended to condone.

It is contended in behalf of the owners that the statute of 1898 has not been violated, and that the real height of the building as it stands is only ninety feet. If this be so it is open to the owners of the building to prove the fact in the courts, where the case against them is still pending. Furthermore, if the statute has not been violated there is no occasion for this bill. But I am satisfied that the building as it stands is above the height permitted by the statute of 1898.

I have considered with care all the arguments submitted in this controversy, giving due weight to the representations made on each side. In my opinion the vital point involved is not the appearance of the building, or the difficulties under which the owners labor; but it is rather whether law may be violated only to be excused or condoned.

I am unable to give my sanction to a measure intended to relieve citizens of the Commonwealth from the conse-

quences of deliberate disregard of the provisions of a statute of the general court. I therefore feel it to be my duty to return the bill without my approval.

[To the honorable senate and house of representatives, June 30, 1900.]

I return herewith an act entitled "An Act to authorize the city of Boston to incur indebtedness for a municipal building in South Boston," with my objections thereto in writing.

This is a bill based upon the petition of a single individual, and passed without the official sanction of the mayor and city council of Boston. If a bill for a similar purpose, without official approval of any kind, applying to any other city in the Commonwealth had been introduced into the legislature, it would have received, I am sure, scant consideration. The rule which is applied to other cities, requiring measures affecting their financial management to have the approval of their city councils, should not be ignored or set aside in the case of the city of Boston.

One of the chief objects of the bill recently enacted increasing the tax limit and the debt limit of the city of Boston was to avoid applications to the general court for legislation of this character. The loan authorized by the bill is to be provided inside the debt limit, and as the city council has full authority to issue loans of this nature the measure is superfluous. The bill also contravenes the recommendation in my inaugural message that municipalities should be permitted to manage their local affairs, without legislative interference, excepting in cases where a public exigency may require the invoking of the superior authority of the general court. I can see no public reason or excuse for this bill, and therefore return it without my approval.

[To the honorable senate and house of representatives, June 30, 1900.]

I return herewith an act entitled "An Act relative to the system of playgrounds for the city of Boston," with my objections thereto in writing.

This is a bill, based upon the petition of private citizens, and has not the official endorsement of the mayor and city council of Boston. It simply prescribes a method by which land may be taken for playgrounds, but it confers no new authority upon the city, which already possesses

the power to acquire land for parks and playgrounds. The loan authorized by the bill is to be issued within the debt limit, and I am firmly of the opinion that the mayor and city council are the best judges of the purposes for which the money of the city should be expended.

Moreover, this bill is in violation of the recommendation I made in my inaugural address of last January, in opposition to the tendency of the legislature to interfere in the local affairs of cities and towns. For the above reasons I return the bill without my approval.

[To the honorable senate and house of representatives, June 30, 1900.]

I return herewith an act entitled "An Act to authorize the park commissioners of the city of Boston to establish a park or playground in South Boston," with my objections thereto in writing.

It was not necessary to invoke the authority of the legislature to carry out the purposes of this bill, the city authorities of Boston already possessing power to take land for parks and playgrounds. The law enacted this year, increasing the tax limit and the debt limit of the city of Boston, was based upon the general proposition that its passage would permit the city council to manage the financial affairs of the municipality, relieving the legislature of any excuse for controlling its expenditures by indicating the purposes for which its appropriations should be made.

This bill has not my approval because it has not the official endorsement of the mayor and city council of Boston; because it provides for the issue of a loan inside the debt limit, an exercise of authority which the city may resort to at any time without the sanction of the legislature; and, finally, because it is opposed to the recommendation made in my message to the legislature in January last that cities and towns as far as practicable should be let alone to work out their own municipal problems.

[To the honorable senate and house of representatives, June 30, 1900.]

I return herewith an act entitled "An Act to authorize the city of Boston to incur indebtedness for the purpose of building and furnishing additional schoolhouses and taking land therefor," with my objections thereto in writing.

In my message to the legislature in January last I recommended that as far as practicable cities and towns should

be let alone to work out their own municipal problems. This bill is in violation of that recommendation.

The city of Boston has authority to acquire land for and to build new schoolhouses, and the act recently approved increasing the tax limit and the debt limit has furnished it with financial resources to carry out the purposes of this bill. Excepting in cases where the city is lacking in authority its appropriations should not be made by direction of the legislature. The city council, in view of the increase of the borrowing capacity of the city by more than \$5,000,000, is the proper body, in my opinion, to authorize the loan asked for by the petitioners.

Every one is interested in the welfare of the schools, desiring to have furnished to them the fullest accommodations. Under other circumstances I should be glad of an opportunity to add my approval to a measure intended to increase the school facilities of Boston, but this bill is open to the objection that it usurps authority that should be exercised by the mayor and city council of Boston, and for that reason I cannot give to it my sanction.

[To the honorable senate and house of representatives, July 12, 1900.]

I return herewith without my approval an act entitled "An Act relative to the support of state poor by cities and towns," with my objections thereto in writing.

This is a bill to increase from five to seven dollars a week the rate allowed by the Commonwealth for the maintenance in hospitals of the sick poor who have no settlements in cities or towns. In these cases the expense is borne in the first instance by the cities and towns, and they are reimbursed by the Commonwealth. Last year the number of these cases in hospitals was 4,307, and the appropriation was \$95,000. On the basis of the number treated last year, with an increase of two dollars per week in the rate, an addition to the appropriation of \$26,500 per annum will be required in future.

If this bill is intended to relieve small and poor towns of an alleged burdensome charge it fails of its purpose. Even if it were true that occasionally a town is obliged to pay two dollars a week for the support of a patient, the difference between what the Commonwealth allows and the maximum charge fixed by this bill, the small towns, which rarely furnish a case, would lose more by their contribution to an increased state appropriation than they

would gain in reimbursement from an increase of the allowance for hospital charges. Instead of being a help to the poorer communities of the Commonwealth, it is clear to me that the bill is prejudicial to their interests.

As more than ninety-five per cent of the hospitals of the Commonwealth are satisfied with the present rate of five dollars per week, I cannot give my consent to a change which will needlessly increase the appropriation for the state board of charity by not less than \$25,000 a year.

I therefore consider it to be my duty to return the bill without my approval.

[To the honorable senate and house of representatives, July 17, 1900.]

I return herewith without my approval an act entitled "An Act to provide for the construction of certain parkways by the metropolitan park commission," with my objections thereto in writing.

In my message to the legislature in January last I recommended that no new work should be undertaken at present in the metropolitan districts. For metropolitan water, sewerage and park purposes loans aggregating more than \$33,000,000 were then outstanding and the total amount has not diminished since the date of the message. Of this debt \$8,075,000 is chargeable to the metropolitan parks district.

In 1895 an apportionment was made for the assessment of the expense of the metropolitan parks on the cities and towns in the district. In 1896 the legislature set that apportionment aside, postponing the time for beginning the payments until 1900. Within a few weeks the supreme judicial court has appointed a commission to make a new apportionment, composed of Charles F. Adams of Lincoln, Thomas M. Stetson of New Bedford, and John C. Hammond of Northampton. This commission is expected to make its report in time to enable the Commonwealth to levy the first assessment on the district this year.

My conviction that the cities and towns in the metropolitan districts should not undertake new enterprises until the present load of debt has been lightened is strengthened by an experience of six months as the chief executive of the Commonwealth. The ease with which great financial burdens are imposed or assumed is a tendency of the times, which, in my opinion, needs to be checked. I have no

desire to stand in the way of a progressive treatment of the needs of these districts, but it is clear to me, and I believe it must be obvious to the people who pay the taxes, that there should not be further increase of debt, excepting for purposes which public necessity absolutely demands.

The bill before me authorizes an expenditure of \$755,000 on metropolitan parks account for the construction of parkways by the metropolitan park commission. Many similar proposals have proceeded from other sections of the metropolitan parks district. All are supported by the same argument, namely, that each community should be favored by a boulevard, driveway, or park. It is said that equity requires this distribution of favors. The metropolitan parks system, however, was conceived on different lines. The original plan was to acquire and preserve beautiful and notable features of the landscape in the vicinity of Boston, like the Blue Hills, the Middlesex Fells and Revere Beach. The benefits to be derived were in a broad way intended to be public in general, and not special and local.

The local benefits will no doubt all be obtained in time, but it seems to me that they should not be authorized until the district has repaid to the Commonwealth some portion, at least, of the great sum which it has advanced to pay for the acquirement and maintenance of this great park system.

[To the honorable senate and house of representatives, July 17, 1900.]

I return herewith without my approval an act entitled "An Act to authorize and direct the metropolitan park commission to complete its takings along the shore in the city of Lynn and in the towns of Swampscott and Nahant, and to construct the driveway in connection therewith," with my objections thereto in writing.

This is a bill authorizing the metropolitan park commission to expend \$200,000 for the taking of lands and the construction of a driveway in the city of Lynn and the towns of Swampscott and Nahant. The objections presented by me in my message of this date returning the bill entitled "An Act to provide for the construction of certain parkways by the metropolitan park commission" apply with equal force to this bill, and I beg to refer your honorable bodies to the reasons stated at length in that message.

CHANGE OF NAMES.



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CHANGE OF NAMES OF PERSONS.

In compliance with the requirement of the Public Statutes, Chap. 148, Sect. 14, as amended by Chap. 89, Acts of 1897, returns of the following Changes of Names have been received in the office of the Secretary of the Commonwealth, as decreed by the several Probate Courts of the Commonwealth, in their respective Counties:—

BARNSTABLE COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
April 4,	Kate Ford Lane,* . . .	Kate Ford Ryder, . . .	Chatham.
May 9,	Florence O'Brien,* . . .	Florence Alice Larkin, . . .	Harwich.
July 11,	Thacher Gray Hallet, . . .	Thacher Taylor Hallet, . . .	Yarmouth.
Dec. 12,	Julia Ann Lucey,* . . .	Julia Ann Bodfish, . . .	Barnstable.
12,	Lawrence Clark,* . . .	Lawrence C. Barlow, . . .	Bourne.

BERKSHIRE COUNTY.

Jan. 8,	Arthur Corliss Cunningham,* . . .	Kennith Pigeon Bowen, . . .	Cheshire.
March 8,	Louisa M. Griswold,* . . .	Louisa M. Paro, . . .	Adams.
April 4,	Lucy May Robinson,* . . .	Lucy May Daniels, . . .	Pittsfield.
May 2,	Jennie F. Knights,* . . .	Ruby Alice Sennett, . . .	Lee.
Aug. 2,	Mary Thomas,* . . .	Mary Preston, . . .	Williamstown.

BRISTOL COUNTY.

Jan. 20,	Ollie May Wilson,* . . .	Ina May Chace, . . .	Attleborough.
April 7,	Harold Griffith,* . . .	Harold Sowle, . . .	Fall River.
7,	Geo. Francis Timlin,* . . .	Edward George Francis Timlin, . . .	Fall River.
May 5,	Lillian Westwell,* . . .	Lillian Affleck, . . .	New Bedford.
5,	William Henry Ogden,* . . .	William Ogden Lord, . . .	New Bedford.
5,	Ida Holman,* . . .	Ida Ackley, . . .	Fall River.
19,	Marion Smith,* . . .	Marion Lawton, . . .	New Bedford.
June 9,	Walter J. C. Haley, . . .	Walter John Case, . . .	New Bedford.
16,	Carlton N. Chace,* . . .	Carlton N. Merry, . . .	Dartmouth.
Sept. 1,	Violet Ward Hawley,* . . .	Grace Helene Bourke, . . .	Dartmouth.
8,	Earl Stewart Wunderle,* . . .	Earl Stewart Redfern, . . .	Somerset.
20,	Gertrude C. Farrel, . . .	Gertrude C. Jenney, . . .	Fall River.
Dec. 1,	Mary Harrington,* . . .	Irene Frances Oakley, . . .	Fall River.

COUNTY OF DUKES COUNTY.

Sept. 5,	Maud Donovan,* . . .	Maude Marvell Maury, . . .	West Tisbury.
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* Changed by reason of adoption.

ESSEX COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Jan. 2,	Elizabeth Sullivan,*	Daisy Bell Cook,	Boston.
9,	Gladys Smith,*	Esther Hattie Rutter,	Rochester, N. H.
23,	Frances Elizabeth McGahey,*	Eunice Geraldine Hamel,	Cambridge.
Feb. 20,	Adaline Augusta Smiley,*	Adaline Augusta Orcutt,	Lynn.
March 6,	Annie Nugent,*	Mildred Furbush,	Wellesley.
6,	Ida K. Thompson,*	Elsie Louise Middlehurst,	Lynn.
20,	Myrtle Belle Pickard,*	Myrtle Belle Hills,	Georgetown.
20,	Leroy Sargent (otherwise called Harry LeRoy Jaques),*	Harry Marshall,	Merrimac.
27,	Roy Herbert Clark,*	Roy Herbert Trask,	Danvers.
April 3,	Ada Hoyle,*	Annie Bernice Quimby,	Boston.
3,	Dorris Ruth Proctor,*	Dorris Ruth Drake,	Stoughton.
17,	Mildred Marguerite Jones,*	Mildred Marguerite Healy,	Lynn.
17,	Esther May Pickard,*	Esther May Kneeland,	Georgetown.
24,	Walter Freeman Baker,*	Walter Baker Williams,	Lynn.
May 1,	Herbert C. Cassidy,*	Herbert Charles Muncey,	Lynn.
1,	Mary A. Cassidy,*	Mary Arty Muncey,	Lynn.
June 5,	Emily Powell,*	Emily Powell Morton,	Lynn.
5,	Henry Parker,*	William Henry Henderson,	Ipswich.
19,	Carrie Grace Allen,*	Carrie Grace Durkee,	Lynn.
26,	James Leonard Wareham, Jr.,*	James Leonard Congdon,	Beverly.
July 10,	Dorothea Haberkorn,	Dorothea Cross,	Lakewood, N. J.
10,	Hazel Clara Tarbell,*	Hazel Clara Archer,	Boston.
Aug. 7,	Dorothy Frances Knight,*	Dorothy Frances Hadley,	Haverhill.
7,	Ernest Leroy Rollins,	Ernest Leroy Peabody,	Lawrence.
18,	Bessie A. Prentiss,*	Bessie Florine Rust,	Haverhill.
Sept. 18,	Flora Jane Watson,*	Flora Jane Cross,	Beverly.
Oct. 2,	Jerome Celestine Trahan,	Harry Frank Ford,	Beverly.
2,	George Elden MacCarthy,	George Elden MacArthur,	Haverhill.
16,	Isabelle Gilkey MacCarthy,	Isabelle Gilkey MacArthur,	Ipswich.
16,	Zeri Ware,	Zeri King,	Ipswich.
16,	Hattie May Ware,	Hattie May King,	Lynn.
16,	Frank Andrew Ware,	Frank Andrew King,	Lynn.
16,	Earle Munroe Ware,	Earle Munroe King,	Lynn.
16,	Edith Wells,	Edith Gavel Lyman,	Lynn.
16,	Emma Elizabeth Norton,*	Anna Maria McGinnis,	Cambridge.
Nov. 6,	Viola Ferlie Fisher,*	Viola Ferlie Cook,	Beverly.
6,	John George Nuttal,*	John Whitaker,	Beverly.
13,	Nora T. Byrne,*	Nora Theresa Burns,	Methuen.
13,	Mabel Bernice Leavitt,*	Mabel Bernice Whittier,	Marblehead.
20,	John Augustus Bagley,*	George Robert Wilson,	Gulford, N. H.
20,	Mary Elizabeth Ealy,*	Mary Elizabeth Broderick,	Haverhill.
27,	Bessie Gray,*	Dorothy Pauline Chase,	Haverhill.
Dec. 27,	Jeannette Hodskinson,	Jeannette Ross Hodskinson,	Waltham.
18,	Ruth A. Griffin,*	Ruth Alice Theberge,	Salem.
18,	Mary Elizabeth Palmer,*	Elizabeth Palmer Annis,	Haverhill.
18,	John Pike,*	John Walsh,	Boston.
18,	Philip Wilbur Snow,*	Philip Piper Curtis,	Marblehead.
			Lynn.

FRANKLIN COUNTY.

Feb. 14,	Mildred Sears,*	Edith May Richard,	Gill.
March 7,	Nettie Russell Bronson,*	Ruth Russell Bragg,	Greenfield.
April 25,	Herbert Halsey Brown,*	Herbert Halsey Riddell,	Greenfield.
June 6,	Jessie F. Ruthertford,*	Jessie F. Merrill,	Orange.
6,	Gertrude McNeill,*	Gertrude Margaret Howland,	Conway.
July 25,	Jennie E. Starkey,*	Jennie E. Bullard,	Orange.
Oct. 24,	Ollina O'Day,*	Ollina Tetreault,	Greenfield.
Nov. 28,	Ruby Bebo (or Bourbeau),*	Ruby Pratte,	Montague.
28,	Edna Bourbeau,*	Agnes Desautels,	Montague.

* Changed by reason of adoption.

CHANGE OF NAMES.

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HAMPDEN COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Jan. 4,	Gottfrieda Hornell,*	Beatrice Josephine Hibbard,	North Hadley.
March 29,	Elizabeth Mueller,*	Elizabeth Dutton,	Springfield.
April 5,	Paul Russell Larold,*	Phillip Henry McCabe,	Westfield.
May 3,	Alice Marion Beaton,*	Alice Marion Miller,	Chicopee.
17,	Catherine Daley,*	Catherine Lawton,	Westfield.
June 7,	Edward George Buchanan,*	Edward George Murphy,	Westfield.
7,	Edna Ray,*	Edna Rae Hancock,	Springfield.
14,	Eugene Edward Coffey,*	Eugene Edward Weeks,	Springfield.
26,	Unnamed child of Emma Burgess,*	Donald William Brownridge,	Springfield.
July 5,	Roy Simmons Stokes,*	Roy Flint Moore,	Chicopee.
5,	Pearl Marletta Gibbons,*	Pearl Marletta Harvey,	West Springfield.
5,	Godfrey Henry Young,*	Godfrey Hagstrom,	Springfield.
Sept. 13,	Eva May Vanslette,*	Eva May Sawyer,	Springfield.
18,	Josephine McIntee,*	Josephine Duggan,	Springfield.
20,	Blanche Elise Parenteau,*	Blanche Elise Rivers,	Springfield.
Oct. 18,	Emella Victoria Olson,*	Emella Victoria Hanson,	Springfield.
25,	Alice Smith,*	Alta Alice Hall,	Somers, Conn.
Nov. 1,	John Connors,*	John Harold Higgins,	Providence, R. I.
1,	Ellen Crystal Johnson,*	Ella Crystal Bell,	Holyoke.
23,	Robert Albright,*	Ralph William Walker,	Springfield.
Dec. 6,	Fannie DeForest Lambert,*	Fannie DeForest McCaw,	West Springfield.
6,	Mary Dempsey,*	Mary Ellen Newell,	Springfield.
6,	Mary Kezar,*	Mary Isabel Wilber,	Springfield.

HAMPSHIRE COUNTY.

March 14,	Rita Rowland,*	Rita May Hadsell,	South Hadley.
April 14,	Della Poltraz,*	Della Barbeau,	Ware.
July 5,	Manuel Owen,*	Arthur Owen Barrows,	Prescott.
5,	Elizabeth McBay,*	Elizabeth McBay Field,	Northampton.
Sept. 5,	George Lewis Kinne,*	George Arden Brown,	Cherterfield.
5,	Nellie Doherty,*	Ellen Josephine Torrey,	Gardner.
12,	Harold King,*	Harold Kenneth Burt,	Belchertown.
12,	Elizabeth McCarty,*	Bessie Mae Allen,	Ware.
Nov. 8,	Elsie Smith,*	Elsie Smith Campbell,	Easthampton.
Dec. 5,	Harriet Wright Bates,*	Harriet Wright Dinsmore,	Hatfield.
5,	Bessie Johnson,*	Malah Elizabeth Gray,	Amherst.

MIDDLESEX COUNTY.

Jan. 10,	Marion E. Sanborn,*	Marion Smith,	Stoneham.
17,	Helen Letitia Chapman,*	Gladys Chapman Lurvey,	Dracut.
24,	William Pleasant Murphy,*	Winsor Walter Grant,	Boston.
24,	Louis Lotowsky,*	Louis Lotow,	Somerville.
Feb. 7,	Robert W. Yates,*	William Phillips Atkinson,	Everett.
7,	Arthur B. Penn,*	Arthur Penn Clark,	Lynn.
21,	Franz Wilhelm Ljungqvist,	Franz Wilhelm Young,	Malden.
21,	Gladys Elizabeth Skinner, <i>alias</i>		
	Gladys Elizabeth Brown,*	Gladys Elizabeth Stearns,	Boston.
21,	Orianna René,*	Orianna Dion,	Lowell.
March 7,	George March Abbott,*	George Winn Abbott,	Watertown.
7,	John Albert Olsen,*	Walter Lealie Brown,	Somerville.
7,	Norman Russell Pepper,*	Norman Russell Pepper Innis,	Cambridge.
14,	Mabel E. Drew,*	Mabel E. D. Davies,	Cambridge.
14,	Clifford F. Gregg,*	Clifford Stimson Gregg,	Cambridge.
21,	Clarence Coburn,*	Raymond Everett McAuslin,	Boston.

* Changed by reason of adoption.

MIDDLESEX COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
March 21,	Eva Mabel Sharp,*	Ruth Eva Mabel Lawrence.	Boston.
28,	Margaret E. D. Russell,*	Margaret Elizabeth Doris Russell.	Malden.
28,	Alexander McNeill,*	Donald Calvin Gillis.	Boston.
April 4,	Francis Sparrow,*	Francis Ambrose Canning.	Boston.
4,	Cornelia Maloney,*	Ruth Whitaker.	Somerville.
4,	Mary L. McGrath,*	Margaret Kelly.	Boston.
11,	Emma F. Lombard.	Emma Florence Tufts.	Somerville.
25,	Edna Daniels,*	Edna Daniels Turner.	Everett.
25,	Esther Raymond,*	Esther Chandler Holden.	Boston.
25,	Lena Thornton,*	Lena Bell Stanley.	Boston.
May 9,	Pauline P. Proctor, <i>alias</i> Hattie May,*	Hattie May Cook.	Newton.
23,	Henrietta Louise Eno,*	Henrietta Louise Warner.	Reading.
23,	Arthur Downey,*	Arthur Melbourn Goggin.	Weymouth.
23,	Ellen Dacey,*	Beatrice Lillian McKinnon.	Lynn.
23,	Hattie Dora Brown,*	Hattie Dora Fletcher.	Marlborough.
June 6,	Malcolm Baker Edson.	Charles Malcolm Edson.	Lowell.
6,	Francis Mulready,*	George Francis Harrington.	Cambridge.
6,	Victor Hugo Anderson,*	Victor Hugo Peterson.	Medford.
6,	Sarah Thorndike,*	Maud Elizabeth Davis.	Cambridge.
6,	Dorothea Cahoon,*	Edna Dorothea Cutler.	Boston.
13,	Ethel May Chase,*	Ethel May Johnson.	Cambridge.
13,	Dorothea Izeta Wyman,*	Dorothea Izeta Shepard.	Lowell.
20,	Ella C. F. Lane.	Ella C. F. Watson.	Tewksbury.
20,	Henry Lewis Degran,*	Henry Lewis Vaillancourt.	Woburn.
20,	Harold Hamilton,*	Harold Dewey Murray.	Somerville.
27,	Harriet Cutter Morse.	Harriet Clara Morse.	Newton.
27,	Kittie A. Wheeler.	Katherine Adams Wheeler.	Cambridge.
27,	Dudley Landon,*	Ira Dudley Mann.	Springfield.
27,	Elizabeth S. Hall,*	Elizabeth Stowell Hunt.	Watertown.
27,	Myrna Estelle Wiley,*	Myrna Estelle Hall.	Medford.
July 5,	Arthur L. Taylor,*	Arthur Taylor Mason.	Boston.
5,	— Cochran,*	Ruth Parker.	Boston.
11,	Edith Louise Greenlaw,*	Edith Louise Hafermehl.	Newton.
18,	Alice Bailey,*	Helen Ready.	Boston.
25,	Priscilla Blumenthal,*	Bessie Poplitch.	Somerville.
Sept. 5,	Joseph Adelbert Foster.	Joseph Adelbert Sylvester.	Arlington.
5,	Emma Legro Connors,*	Daisy Ella Beckford.	Malden.
5,	Mary Baker,*	Dorothy Bartle.	Boston.
5,	Alexander Bates,*	William Seward Newman.	Boston.
5,	Della R. Warren,*	Della Rebecca Chute.	Parraboro*, N. S.
5,	Bessie Ann Robertson,*	Bessie Robertson Priestley.	Somerville.
12,	William M. Hanlon,*	William Michael Hanlon Lennox.	Everett.
19,	Hattie P. Bedford,*	Pamella Louis.	Lowell.
19,	Marion E. McLaughlin,*	Marion Etta Drake.	Medford.
26,	Gladys Cash,*	Gladys May Woodward.	Boston.
26,	Earl Clifton Robinson,*	Earl Frederick Woodward.	Fitchburg.
26,	Robert G. Giddings,*	Robert Graham.	Waltham.
Oct. 17,	Morris Tarlinski.	Morris Tarlin.	Cambridge.
17,	Claude William Goodnow,*	Claude William Darling.	Stoneham.
24,	Walter Webster,*	Paul Reginald Sanborn.	Boston.
Nov. 8,	Annie Drumney,*	Annie Drumney Bucknell.	Boston.
8,	Theron Harlow Pierce,*	Theron Harlow Goss.	Warren.
14,	Florence May Bushee,*	Florence May Martin.	Boston.
23,	Gladys Gibson,*	Anna Elizabeth Glover.	Boston.
28,	Mary Camilla Scanlan,*	Mary Camilla Dame.	Newton.
Dec. 5,	Addie Mabel Titus.	Addie Mabel Hill.	Lowell.
5,	Daniel Clifford,*	Daniel C. Sullivan.	Boston.
5,	Frank Willard Shyne,*	Frank Willard Meakin.	Boston.
13,	John Angus McIsaac.	Burney McIsaac.	Cambridge.
13,	Ruth Marie Willis,*	Shirley May.	New York, N. Y.
19,	Anna Larson,*	Anna Adela Ohlson.	Chelmsford.
26,	Catherine Mary Long,*	Florence Vivian Hines.	Boston.
26,	John Green,*	Clarence Clark Jones.	Boston.
26,	Ralph H. Blish,*	Ralph Howard Pendexter.	Somerville.

* Changed by reason of adoption.

CHANGE OF NAMES.

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NORFOLK COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Jan. 4,	Edward Dana Underwood,	Edward Dana,	Canton.
4,	Helen Underwood,	Helen Dana,	Canton.
4,	Robert White Underwood,	Robert White Dana,	Canton.
18,	Dora Soffe,*	Marion Almada Crocker,	Boston.
March 22,	Elizabeth Jackson,*	Sadie Marion McKenzie,	Boston.
April 20,	Mabel ———,*	Mabel McLean,	Halifax, N. S.
May 10,	Wm. George Collicott,	Wm. George Bacon,	Brookline.
17,	Marion Edith Smith,*	Marion Edith Work,	Boston.
June 7,	Marion Bent,*	Florence Marion Allen,	Lowell.
7,	Emily Sophia Austin,*	Emily Sophia McCluskey,	Quincy.
7,	Mabel Austin,*	Mabel McCluskey,	Quincy.
7,	Edith Hope Davis,*	Edith Helen Tolman,	Sharon.
14,	Alfred Jackson,*	Alfred Cotter,	Boston.
14,	Annie Flaherty,*	Annie Cotter,	Boston.
Sept. 6,	May Ann Doherty,*	Mary Ann Wales,	Randolph.
20,	Elmer Dewey Minnis,*	James Madison Burns,	Bahama Islands.
Nov. 8,	Dorothy Laura Willard,*	Dorothy Laura Blodgett,	Quincy.
22,	Jennie Murphy,	Jennie Foster,	Bellingham.
Dec. 6,	Mary Dempsey,*	Mary Tynan,	Canton.

PLYMOUTH COUNTY.

Jan. 9,	Grace Prouty,*	Florence G. Newcomb,	Scituate.
23,	Clara B. Bunker,*	Clara B. Paige,	Scituate.
Feb. 27,	John W. Beaumont,	John W. Cooper,	Brockton.
March 30,	Arthur W. Buckley,*	Arthur R. Caswell,	Brockton.
April 10,	George Valder,*	George Perry,	East Bridgewater.
10,	Forest F. Cox,*	Forest F. Winslow,	Rockland.
24,	Christina McDermott,*	Christina Raymond,	Plymouth.
May 8,	Ellen H. Taylor,*	Judith K. Waterman,	East Bridgewater.
June 26,	Emma M. Richards,	Emma M. Ripley,	Plympton.
26,	Mary E. Sullivan,*	Mary E. Hall,	Brockton.
July 10,	David Fitzgerald,*	Irving R. Gray,	Brockton.
Aug. 28,	Horace W. Keach,*	Horace W. Johnson,	Wareham.
28,	Katherine Mason,*	Katherine Law,	Wareham.
Sept. 11,	Grace B. Soule,*	Grace B. Mansfield,	Brockton.
11,	Albert M. Soule,*	Albert M. Mansfield,	Brockton.
11,	Walter B. Johnson,*	Richard Flagg,	Brockton.
26,	Esther L. Peterson,*	Esther L. Johnson,	Brockton.
Nov. 27,	Christian Schelde Christenson,	Christian Schelde,	Bridgewater.
27,	Agnes E. Johnson,*	Agnes E. Swenson,	Brockton.
27,	Edith M. F. Carlson,*	Edith M. Anderson,	Brockton.
Dec. 11,	Irene Evans,*	Dorothy Monroe,	Middleborough.
11,	Lawrence Elger,*	Lawrence N. Berry,	Brockton.
26,	Joseph Marston,*	Lester W. Adams,	Rockland.

SUFFOLK COUNTY.

Jan. 5,	—— Emerson,*	Laurel Hazel Marsh,	Boston.
12,	Leotta Grace Warren,*	Cora Leonora Flynn,	Boston.
19,	Mary Frances Tierney,*	Agnes Kilroy,	Boston.
19,	John J. O'Gorman,*	John J. O'Gorman McBride,	Boston.
26,	Charles W. Flake,	Charles Greenwood Watson,	Boston.
26,	Robert V. Hubley,	Robert V. Turner,	Boston.
26,	John Edward Borncamp,	Edward Borncamp,	Boston.
Feb. 2,	John J. O'Brien,*	John Lester Allen,	Boston.
2,	Elizabeth Bradley,*	Luella Howard Mathews,	Chelsea.
2,	Wallace Everett,*	Wallace Everett Hatch,	Everett.
2,	Jonas Newton Parker,	John Newton Parker,	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY—Continued.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Feb.	1, Gustavus Cohn,	Gustavus Gerard,	Chelsea.
2,	Jeannette Webster Flanagan,	Jeannette Webster Tufts,	Boston.
2,	Caroline Morris Tanner,*	Caroline Laura Harrison,	Boston.
2,	Mamie Smith,*	Lottie Bailey Kinsman,	Boston.
9,	Chester Littlefield Hart,*	Chester Littlefield Fuller,	Boston.
9,	Edward Sherman Farrell,	Edward Sherman Bennett,	Boston.
9,	Joseph P. Lynch,	Joseph P. Lynch Early,	Boston.
9,	Carl H. Jonsson,	Carl H. Johnson,	Boston.
9,	Julia A. Mallon,	Julia A. Mallon Early,	Boston.
18,	Annie Etta Day,	Henrietta Louise Day,	Boston.
18,	Florence Breen,*	Florence Campbell,	Boston.
18,	Wm. H. Wilson,*	William Henry Allen,	Boston.
23,	Grace Flanagan,	Grace Tufts,	Boston.
23,	Maggie Murphy,*	Diana Hilda Daffin,	Boston.
23,	John Leary Brown,*	John Colony,	Boston.
March	2, Esther D. McNally,*	Esther Ella Lakin,	Dartmouth.
2,	Irene Maybelle Lowe,*	Irene Francis Lowe,	Wrentham.
2,	Helen Roberts,*	Helen Mildred Simpson,	Boston.
9,	Mabel Fallon,*	Mabel Crandlemire,	Boston.
9,	Mary Theresa Newcomb,*	Mary Theresa Richardson,	Boston.
9,	Minnie V. Holmes,*	Minnie Holmes Fish,	Boston.
9,	Earl D. McPherson,*	Earl Charles Dingwell,	Boston.
16,	Mark H. Yarashefsky,	Mark H. Plainfield,	Boston.
23,	Ellen Shafer,*	Ellen Shafer Sweeney,	Boston.
30,	Joseph Neal,*	William Joseph Scott,	Boston.
30,	David A. Meshulam,	David A. Marshall,	Boston.
30,	Mabel Etta Grout,*	Mabel Frances Rogers,	Worcester.
30,	Mary E. Dunn,*	Mary Lois Pennock,	Boston.
30,	Sadie A. Eldredge,*	Lillian Grace Miller,	Boston.
April	6, Louis Brown,*	Charles Cohen,	Boston.
6,	Reta Smith,*	Reta Stirk,	Boston.
13,	Joseph Gauthier,	Joseph Leo Gauthier,	Boston.
20,	Farrar Crane Cobb,	Farrar Cobb,	Boston.
20,	Julia Zytnewska,	Julia Francke,	Boston.
20,	Antonie Zytnewska,	Antonie Francke,	Boston.
20,	Bertha Louisa Rosa,*	Bertha Louisa Williams,	Boston.
27,	Bertha Mabel Powers,*	Bertha Mabel Reed,	Boston.
27,	Mary E. Murphy,*	Mary E. Chase,	Boston.
May	4, Edward Alba Trowbridge,	Edward Allyn Trowbridge,	Boston.
4,	Nellie Christie Silvester,*	Nellie Christie Bradford,	Boston.
11,	Nora D. Clarke,	Garnet William Chater Clarke,	Boston.
11,	Mary Gertrude Neeson,*	Mary Gertrude Delaney,	Boston.
18,	Elizabeth Kehoe,*	Elizabeth Corcoran,	Boston.
18,	Ray Edwin Armstrong,*	Ray Edwin A. McAlpine,	Boston.
18,	Julia Kehoe,*	Julia Corcoran,	Boston.
18,	Mary Etta Rowe,*	Rachel Fillebrown,	Boston.
18,	Madeline Smith,*	Blanche Madeline Walker,	Boston.
18,	Ora F. Kennard,*	Ora Frances White,	Boston.
25,	John Henry Phillips Dick,	Henry Dick,	Boston.
25,	James Waldo Thomas,*	John Mortimer Jones,	Newton.
25,	Bertha Riggs,*	Bertha Riggs Mawson,	Boston.
25,	Marion Victoria Sampson,*	Marion Victoria Osbaum,	Boston.
25,	Frederick Alexander Archibald,*	Frederick Hobson Whiting,	Boston.
June	1, James Jackson Hathaway,	James Ambrose Hathaway,	Boston.
1,	Patrick Joseph O'Brien,	Joseph Patrick O'Brien,	Boston.
8,	Barnet Hurvitz,	Harry Benet,	Boston.
15,	John Culver Walton,*	John Culver Lephart,	Boston.
15,	Paul Halsall,*	Paul De Cidoucha,	Boston.
22,	Ida Frazetta Benjamin,	Ida F. Stiles,	Boston.
29,	Mary Irvine,*	Mary Irvine Smith,	Boston.
July	13, Richard N. Rice,*	Richard McMaster,	Boston.
13,	Roy Hildreth Marshall,*	Roy Hildreth Oulten,	Chelsea.
20,	Mary Greenberg,*	Sarah Joseph,	Boston.
Aug.	17, Leander Edwin Weeks,	Frank Elmer Wilson,	Boston.
17,	Ellen Lensed,*	Marie Heléne Delemarre,	Boston.
17,	Edith Marguerite Slyne,*	Isabel E. Burnham,	Boston.

* Changed by reason of adoption.

CHANGE OF NAMES.

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SUFFOLK COUNTY—Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Sept. 7,	Gertrude Leonard,*	Edna Josephine Oppenheimer,	Boston.
7,	Michael William Buchinsky,	Michael William Bush,	Boston.
7,	Richard Leland,	Hollis Edward Dudley,	Boston.
21,	Harry E. Leefe O'Hara,	Harry E. Leefe,	Boston.
21,	Agnes M. E. Ryan,*	Agnes Mary Ellen Downes,	Boston.
28,	Phillip Winthrop Marlon,	Phillip Prescott Marlon,	Boston.
28,	Mary Emilie Sprague,	Mary Emilie Houghton,	Boston.
28,	Mary Cochran,*	Mary Fitzgerald,	Boston.
Oct. 5,	Phillip Sosnoski,	Phillip Sosnoski Sumner,	Boston.
5,	Willie Eaton Noyes,	William Eaton Noyes,	Boston.
12,	Francis A. Gallagher,	Francis A. Gaynor,	Boston.
12,	Everett Paterson,*	Everett Hamilton,	Boston.
19,	Milton Miles, <i>alias</i> Myers,*	Milton Octavius Hussey,	Boston.
19,	Alice May Powers,*	Alice May Donovan,	Boston.
19,	Margaret McCarthy,*	Margaret Griffin,	Boston.
19,	Prudence Markham,*	Prudence Norcross,	Boston.
26,	Muriel Arleen Davis,*	Elsie Eldora Brown,	Boston.
Nov. 2,	Evelyn Fuller,*	Evelyn Chisholm,	Boston.
9,	David Henry Jopson,	Harold Leslie,	Boston.
16,	Nora Desmond,*	Marguerite Stanton Pearson,	Boston.
16,	Joseph Toresca Loguerchio,*	Joseph Ruggieri,	Lynn.
16,	Ellen Josephine Roach,*	Ellen Josephine Benson,	Boston.
16,	Katherine Roach,*	Katherine Benson,	Boston.
16,	Anna M. Roach,*	Anna M. Benson,	Boston.
23,	Effie Olive Burnside,*	Lillian Erma Paige,	Boston.
23,	Dorothy Woodman,	Marjorie Louise Freeman,	Boston.
23,	Arsen Damagagian,	Arsen Diran,	Boston.
Dec. 1,	Hyman Yoodlman,	Hyman Woodman,	Boston.
7,	William Emerson Porter,	William Killam Porter,	Boston.
7,	Susan Frances Smith,	Susan Frances Gilman,	Boston.
7,	Eleanor Hedstrond,*	Beatrice May Sarkisian,	Boston.
14,	Katherine Belle Ladd,	Katherine Belle Park,	Boston.
21,	Gustav Herman Martin,	Gustav Martin,	Boston.
28,	Mary Olive Grover,	Olive Lothrop Grover,	Boston.
28,	Patrick Francis Cannon,	Frank J. Holland,	Boston.
28,	Mary McCann,*	Mary Carrie Fitzgerald,	Waltham.

WORCESTER COUNTY.

Jan. 8,	Nellie Blake Lincoln,	Helen Blake Lincoln,	Worcester.
10,	Minnie S. Gardner,*	Martha Katherine Straughn,	Portsmouth, N.H.
31,	Eulah Green,*	Catherine Randall Harrington,	Worcester.
31,	Harris Lubjinsky,	Harris Lubin,	Worcester.
31,	Nathan Lubjinsky,	Nathan Lubin,	Northbridge.
Feb. 17,	Phillip Gustrowski,	Phillip A. Lewison,	Worcester.
21,	Aaron Sillven,	Aaron Erickson,	Worcester.
28,	Edith Maria Sjoquist,*	Edith Maria Bjorkman,	Worcester.
March 7,	Caroline A. Popple,*	Caroline A. Walkingman,	Templeton.
April 4,	Harriet McCarthy,*	Harriet Collins,	Leominster.
4,	Frank Adolf Engelbrektsen,	Frank Adolf Andrews,	Fitchburg.
11,	Florence Sheldon,*	Barbara Hortense Weaver,	Worcester.
11,	Lucy Ellen Wilbur,	Nellie May Trowbridge Wilbur,	Leominster.
21,	Olive Icyphena Toomey,*	Olive Icyphena Washburn,	Uxbridge.
May 2,	Hazel Irene Kempf,*	Hazel Irene Sawyer,	Sterling.
9,	Otto Drechsel,*	Otto Koerner,	Webster.
23,	George Normanda,*	George Dellage,	Grafton.
31,	Eva Candace Toomey,*	Eva Candace Washburn,	Uxbridge.
June 13,	Hannah Martin,*	Ida Kirby,	Milford.
20,	Edith Linea Hammarberg,*	Edith Linea Ohlin,	Worcester.
July 21,	Eugene A. Neale,*	Eugene A. Cook,	Worcester.
Aug. 18,	Retta Healy,*	Retta Almeda Mann,	Athol.
Sept. 5,	François Xavier Carpenter,*	François Xavier Carrier,	Athol.
5,	Mary Taylor,*	Mary Louise Taylor,	West Boylston.

* Changed by reason of adoption.

CHANGE OF NAMES.

WORCESTER COUNTY—Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1899.			
Sept. 5,	Albert E. Stolhanski, . .	Albert E. Steele, . . .	Worcester.
5,	Woolfred Pokashowski, . .	Joseph Parker, . . .	Oxford.
5,	William Edson Coe, . . .	William Edson Coe Fairbanks, .	Worcester.
12,	Frank Leslie Bullock, . . .	Frank Leslie Rawson, . . .	Worcester.
15,	Margaret M. V. Malone,* . .	Margaret M. V. O'Day, . . .	Worcester.
15,	John Joseph Murphy, . . .	John Joseph Howard, . . .	Westborough.
26,	George M. Jenks, . . .	George Muxzy, . . .	Worcester.
Oct. 3,	Jessie Mabel Johnson,* . .	Jessie Mabel Sibley, . . .	Worcester.
13,	Lottie M. Manchester,* . .	Lottie M. Thurber, . . .	Douglas.
13,	Ida Kattarina McManus,* . .	Ida Kattarina Hakanson, . . .	Worcester.
Nov. 24,	Lillie Westberg,* . . .	Lillie Evellne Nelson, . . .	Worcester.
24,	Sarah Cummings Toomey,* . .	Sarah Cummings Parks, . . .	Worcester.
Dec. 5,	Thyra Maria Sundén,* . . .	Thyra Maria Ljung, . . .	Worcester.
5,	Frederick Pearl Morris,* . .	Walter Baldwin Hubbard, . . .	Gardner.
12,	Warren Field,* . . .	Charles Warren Swan, . . .	Worcester.
22,	Cordelia L. Benolt,* . . .	Cordelia L. Comtois, . . .	Northborough.
29,	Ethel Marion Adams,* . . .	Ethel Marion Bement, . . .	Worcester.

* Changed by reason of adoption.

THE
CIVIL GOVERNMENT
OF THE
Commonwealth of Massachusetts,
AND OFFICERS IMMEDIATELY CONNECTED THEREWITH FOR
THE POLITICAL YEAR
1900.

EXECUTIVE DEPARTMENT.

HIS EXCELLENCY

W. MURRAY CRANE,

GOVERNOR.

JOHN B. SMITH *Private Secretary.*

EDWARD F. HAMLIN *Executive Secretary.*

HIS HONOR

JOHN L. BATES,

LIEUTENANT GOVERNOR.

COUNCIL—(By Districts).

I.—DAVID F. SLADE Fall River.

II.—WILLIAM W. DAVIS Boston.

III.—HENRY D. YERXA * Cambridge.

IV.—CHARLES I. QUIRK Boston.

V.—GEORGE F. HARWOOD Lynn.

VI.—S. HERBERT HOWE Marlborough.

VII.—MARTIN V. B. JEFFERSON Worcester.

VIII.—PARLEY A. RUSSELL Great Barrington.

WILLIAM M. OLIN,

SECRETARY OF THE COMMONWEALTH.

ISAAC H. EDGETT, *1st Deputy.*

HERBERT H. BOYNTON, *2d Deputy.*

EDWARD S. BRADFORD,

TREASURER AND RECEIVER GENERAL.

HENRY S. BRIDGE, *1st Clerk.*

A. B. C. DEMING, *2d Clerk.*

WENDELL P. MARDEN, *Cashier.*

JOHN W. KIMBALL,

AUDITOR OF ACCOUNTS.

WILLIAM D. HAWLEY, *1st Clerk.*

JAMES POPE, *2d Clerk.*

HOSEA M. KNOWLTON,

ATTORNEY-GENERAL.

FREDERICK E. HURD,

FRANKLIN T. HAMMOND,

JAMES MOTT HALLOWELL,

ARTHUR W. DEGOOSH,

ASSISTANT ATTORNEYS-GENERAL.

* Elected by the Legislature, February 19, in place of Oliver H. Durrell, who died January 31.

LEGISLATIVE DEPARTMENT.

GENERAL COURT.

ARRANGED IN ACCORDANCE WITH THE DISTRICT REVISION OF 1896.

SENATE.

President—GEORGE E. SMITH.

District.	Name of Senator.	Residence.
First Suffolk,	Charles T. Witt,	Boston.
Second "	Peter F. Tague,	Boston.
Third "	Jeremiah E. Mahoney, . .	Boston.
Fourth "	John A. Keliher,	Boston.
Fifth "	Charles H. Innes,	Boston.
Sixth "	John E. Baldwin,	Boston.
Seventh "	William H. Lott,	Boston.
Eighth "	Arthur A. Maxwell,	Boston.
Ninth "	Leonard W. Ross,	Boston.
First Essex,	Henry C. Attwill,	Lynn.
Second "	William Reynolds,	Marblehead.
Third "	Augustus P. Gardner, . . .	Hamilton.
Fourth "	William A. Butler,	Georgetown.
Fifth "	Guy W. Currier,	Methuen.
First Middlesex,	Albert H. Ray,	Ashland.
Second "	John E. Parry,	Cambridge.
Third "	Franklin E. Huntress, . . .	Somerville.
Fourth "	George E. Smith,	Everett.

District.	Name of Senator.	Residence.
Fifth Middlesex,	Fred Joy,	Winchester.
Sixth "	Frank A. Patch,	Boxborough.
Seventh "	Charles Henry Hanson, . .	Lowell.
Middlesex and Essex, . .	Howard K. Sanderson, . .	Lynn.
First Worcester,	Charles G. Washburn, . .	Worcester.
Second "	Francis A. Harrington, . .	Worcester.
Third "	Samuel S. Gleason, . . .	Gardner.
Fourth "	George L. Clemence, . . .	Southbridge.
Fifth "	John E. McClellan, . . .	Grafton.
First Hampden,	Thomas W. Kenefick, . . .	Palmer.
Second "	William B. Mahoney, . . .	Westfield.
Franklin and Hampshire, .	Charles W. Hazeltan, . . .	Montague.
Berkshire,	William Tolman,	Pittsfield.
Berkshire and Hampshire, .	Thomas Post,	Lenox.
First Norfolk,	B. Herbert Woodsum, . . .	Braintree.
Second "	Frank A. Fales,	Norwood.
First Plymouth,	Amos A. Lawrence,	Cohasset.
Second "	Loyed E. Chamberlain, . .	Brockton.
First Bristol,	Warren S. Leach,	Raynham.
Second "	William Moran,	Fall River.
Third "	Rufus A. Soule,	New Bedford.
Cape,	Walter O. Luscombe, . . .	Falmouth.

HENRY D. COOLIDGE, *Clerk.*
 EDMUND DOWSE, *Chaplain.*
 JOHN G. B. ADAMS, *Sergeant-at-Arms.*

HOUSE OF REPRESENTATIVES.

Speaker — JAMES J. MYERS.

COUNTY OF SUFFOLK.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Boston, Ward 1, .	{ A. Dudley Bagley, . Hugh L. Stalker, .	Boston. Boston.
2d,	Boston, Ward 2, .	{ James H. Donovan, . John J. Douglass, .	Boston. Boston.
3d,	Boston, Ward 3, .	{ Jeremiah F. McCarthy, . Charles S. Sullivan, .	Boston. Boston.
4th,	Boston, Ward 4, .	{ Thomas H. Green, . William E. Mahoney, .	Boston. Boston.
5th,	Boston, Ward 5, .	{ Arthur Harrington, . Martin P. Higgins, .	Boston. Boston.
6th,	Boston, Ward 6, .	{ Samuel H. Borofsky, . Michael J. Donovan, .	Boston. Boston.
7th,	Boston, Ward 7, .	{ John L. Donovan, . William T. A. Fitzgerald, .	Boston. Boston.
8th,	Boston, Ward 8, .	{ Joseph P. Lomasney,* . Francis J. Horgan, .	Boston. Boston.
9th,	Boston, Ward 9, .	{ John J. Gartland, Jr., . Richard J. Hayes, .	Boston. Boston.
10th,	Boston, Ward 10, .	{ Freeman O. Emerson, . William Colvard Parker, .	Boston. Boston.
11th,	Boston, Ward 11, .	{ Charles R. Saunders, . George S. Selfridge, .	Boston. Boston.

* Elected March 19, qualified March 28, in place of Edward J. Donovan, who resigned February 15.

HOUSE OF REPRESENTATIVES.

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COUNTY OF SUFFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
12th,	Boston, Ward 12, .	{ James F. Bliss, . . John H. Colby, . .	Boston. Boston.
13th,	Boston, Ward 13, .	{ Michael J. Lydon, . . Frederick C. Mahony, . .	Boston. Boston.
14th,	Boston, Ward 14, .	{ David J. Gleason, . . Michael J. Sullivan, . .	Boston. Boston.
15th,	Boston, Ward 15, .	{ Daniel V. McIsaac, . . William S. McNary, . .	Boston. Boston.
16th,	Boston, Ward 16, .	{ Frederick W. Farwell, . . Arthur P. Russell, . .	Boston. Boston.
17th,	Boston, Ward 17, .	{ John P. Lanergan, . . John J. Mansfield, . .	Boston. Boston.
18th,	Boston, Ward 18, .	{ Michael E. Gaddis, . . James A. Watson, . .	Boston. Boston.
19th,	Boston, Ward 19, .	{ William L. Mooney, . . John E. Thomson, . .	Boston. Boston.
20th,	Boston, Ward 20, .	{ Frank A. Foster, . . James Howell, . .	Boston. Boston.
21st,	Boston, Ward 21, .	{ Melancthon W. Burlen,* . . Temple A. Winsloe, . .	Boston. Boston.
22d,	Boston, Ward 22, .	{ John Bleiler, Charles O. Engstrom, . .	Boston. Boston.
23d,	Boston, Ward 23, .	{ Thomas F. I. Curley, . . John M. Minton, . .	Boston. Boston.
24th,	Boston, Ward 24, .	{ Fred C. Gilpatric, . . Harry B. Whall, . .	Boston. Boston.
25th,	Boston, Ward 25, .	{ Austin Bigelow, William D. Wheeler, . .	Boston. Boston.
26th,	Chelsea, Wards 1, 2, .	Wallace Spooner, . .	Chelsea.
27th,	Chelsea, Wards 3, 4, .	Edward E. Willard, . .	Chelsea.
28th,	{ Chelsea, Ward 5, . . Revere, Winthrop, }	Willard Howland, . .	Chelsea.

* Resigned July 17.

COUNTY OF ESSEX.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Amesbury, . . .	Daniel W. Davis, . .	Amesbury.
2d,	{ Merrimac, . . . Newburyport, Ward 6, Salisbury, . . . West Newbury, . . }	John Q. A. Pettengill, .	Salisbury.
3d,	Haverhill, Wards 4, 6, .	Carleton F. How, . .	Haverhill.
4th,	Haverhill, Wards 1, 2, 3, .	George H. Carleton, .	Haverhill.
5th,	Haverhill, Ward 5, . .	James F. Carey, . .	Haverhill.
6th,	{ Lawrence, Wards 1, 2, Methuen, . . . }	Joseph E. Buswell, . Archie N. Frost, . .	Methuen. Lawrence.
7th,	Lawrence, W'ds 3, 4, 5, 6, {	Amedee Cloutier, . . William Daly, . . . Mortimer D. A. Murphy,	Lawrence. Lawrence. Lawrence.
8th,	{ Andover, . . . Middleton, . . . North Andover, . . }	James C. Poor, . . .	No. Andover.
9th,	{ Boxford, . . . Georgetown, . . . Groveland, . . . Haverhill, Ward 7, . }	Samuel B. George, . .	Groveland.
10th,	{ Danvers, . . . Peabody, . . . Topsfield, . . . }	George Francis Dow, . Bennett B. Humphrey, .	Topsfield. Peabody.
11th,	{ Lynn, Ward 3, . . . Swampscott, . . . }	H. Cushing Bulfinch, . James E. Odlin, . . .	Swampscott. Lynn.
12th,	{ Lynn, Wards 1, 5, 7, . Lynnfield, . . . }	Charles E. Haywood, . Thomas F. Porter, . .	Lynn. Lynn.
13th,	{ Lynn, Wards 2, 4, . . Nahant, . . . }	William R. Salter, . . George H. Stackpole, .	Lynn. Lynn.
14th,	{ Lynn, Ward 6, . . . Saugus, . . . }	Frank P. Bennett, . . James Burns, . . .	Saugus. Lynn.
15th,	Marblehead, . . .	Samuel Roads, Jr., .	Marblehead.
16th,	Salem, Wards 1, 2, . .	Thomas L. Davis, . .	Salem.
17th,	Salem, Wards 3, 5, . .	J. Frank Dalton, . .	Salem.

HOUSE OF REPRESENTATIVES.

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COUNTY OF ESSEX—CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
18th,	Salem, Wards 4, 6, . .	Michael Kelly, . . .	Salem.
19th,	{ Beverly, Essex, Gloucester, Ward 8, . Hamilton, Manchester, Wenham, }	Willard A. Burnham, . Ulysses G. Haskell, .	Essex. Beverly.
20th,	{ Gloucester, Wards 1, 3, 4, } 5, 6, }	Harry L. Belden, . . Charles S. Marchant, .	Gloucester. Gloucester.
21st,	{ Gloucester, Wards 2, 7, } Rockport, }	J. Manuel Marshall, .	Rockport.
22d,	{ Ipswich, Newbury, Newburyport, Wards 1, 2, 3, 4, 5, Rowley, }	Francis D. Henderson, . Charles P. Mills, . .	Rowley. Newburyport.

COUNTY OF MIDDLESEX.

1st,	Cambridge, Ward 1, . .	James J. Myers, . . .	Cambridge.
2d,	Cambridge, Ward 2, . . }	William R. Davis, . . James A. Montgomery, .	Cambridge. Cambridge.
3d,	Cambridge, Ward 3, . .	Cornelius Minihan, . .	Cambridge.
4th,	Cambridge, Ward 4, . . }	Daniel S. Coolidge, . . Charles P. Keith, . . .	Cambridge. Cambridge.
5th,	Cambridge, Ward 5, . .	Albert S. Apsey, . . .	Cambridge.
6th,	Somerville, Ward 1, . .	Horace C. White, . . .	Somerville.
7th,	Somerville, Wards 2, 4, {	John N. Ball, Frank E. Fitts, French O. J. Tarbox, . .	Somerville. Somerville. Somerville.
8th,	Somerville, Ward 3, . .	William L. Barber, . .	Somerville.
9th,	Medford, Wards 1, 2, 4, 5, .	Nicholas B. Keyou,* . .	Medford.
10th,	Everett, }	Edward C. Mead, . . . H. Huestis Newton, . .	Everett. Everett.

* Died March 10.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
11th,	Malden,	{ Aaron C. Dowse, . . . George H. Fall, . . . William Schofield, . .	Malden. Malden. Malden.
12th,	{ Medford, Wards 3, 6, Winchester,	{ Samuel W. Twombly, . .	Winchester.
13th,	{ Arlington, Lexington,	{ J. Howell Crosby, . . .	Arlington.
14th,	{ Belmont, Watertown,	{ Henry R. Skinner, . . .	Watertown.
15th,	Waltham,	{ George F. Leslie, . . . Charles F. A. Smith, . .	Waltham. Waltham.
16th,	Newton,	{ N. Henry Chadwick, . . John T. Langford, . . .	Newton. Newton.
17th,	{ Bedford, Concord, Lincoln, Weston,	{ Henry L. Brown,	Weston.
18th,	Natick,	Horace B. Gale,	Natick.
19th,	{ Ashland, Holliston, Hopkinton, Sherborn,	{ Robert H. Leland, . . .	Sherborn.
20th,	Framingham,	Charles J. McPherson, . .	Framingham.
21st,	{ Marlborough, Sudbury, Wayland,	{ George Balcom, William M. Brigham, . .	Marlborough. Marlborough.
22d,	{ Boxborough, Hudson, Maynard, Stow,	{ Charles H. Persons, . . .	Maynard.
23d,	{ Acton, Ayer, Littleton, Shirley, Westford,	{ Herbert E. Fletcher, . .	Westford.

COUNTY OF MIDDLESEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
24th,	{ Ashby, . . . Groton, . . . Pepperell, . . . Townsend, . . . }	Edwin A. Hubbard, .	Ashby.
25th,	{ Chelmsford, . . . Dunstable, . . . Lowell, Wards 4, 7, 8, Tyngsborough, . . . }	James H. McKinley, . Martin Robbins, . . Walter S. Watson, .	Lowell. Chelmsford. Lowell.
26th,	Lowell, Wards 1, 2, 3, 6, {	Arthur H. Cluer, . . Matthew M. Mansfield, . George E. Varney, .	Lowell. Lowell. Lowell.
27th,	{ Billerica, . . . Burlington, . . . Carlisle, . . . Dracut, . . . Lowell, Wards 5, 9, . North Reading, . . Tewksbury, . . . Wilmington, . . . }	Butler Ames, . . . John T. Sparks, . . .	Lowell. Dracut.
28th,	{ Reading, . . . Woburn, . . . }	Arthur E. Roberts, . Frank E. Wetherell, .	Reading. Woburn.
29th,	Wakefield, . . .	Charles A. Dean, . .	Wakefield.
30th,	Stoneham, . . .	Walter S. Keene, . .	Stoneham.
31st,	Melrose, . . .	Charles H. Adams, .	Melrose.

COUNTY OF WORCESTER.

1st,	{ Athol, . . . Phillipston, . . . Royalston, . . . }	Charles A. Carruth, .	Athol.
2d,	{ Ashburnham, . . . Gardner, . . . Templeton, . . . Winchendon, . . . }	J. Myron Moore, . . Orange Whitney, . .	Gardner. Winchendon.
3d,	{ Barre, . . . Dana, . . . Hardwick, . . . Hubbardston, . . . Petersham, . . . Westminster, . . . }	Timothy Paige, . .	Hardwick.

COUNTY OF WORCESTER — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
4th,	{ Holden, . . . New Braintree, . . . North Brookfield, . . . Oakham, . . . Princeton, . . . Rutland, . . . }	George R. Hamant, .	No. Brookfield.
5th,	{ Brookfield, . . . Sturbridge, . . . Warren, . . . West Brookfield, . . . }	Charles O'M. Edson, .	West Brookfield.
6th,	{ Leicester, . . . Paxton, . . . Spencer, . . . }	Charles H. Allen, .	Spencer.
7th,	{ Charlton, . . . Dudley, . . . Oxford, . . . Southbridge, . . . Webster, . . . }	William F. Herron, . Joseph P. Love, .	Southbridge. Webster.
8th,	{ Auburn, . . . Douglas, . . . Millbury, . . . Sutton, . . . }	Samuel E. Hull, .	Millbury.
9th,	{ Blackstone, . . . Grafton, . . . Northbridge, . . . Shrewsbury, . . . Uxbridge, . . . }	Samuel Verry Crane, . Walter C. Knowlton, .	Blackstone. Shrewsbury.
10th,	{ Hopedale, . . . Mendon, . . . Milford, . . . Upton, . . . Westborough, . . . }	Henry L. Chase, . Clifford A. Cook, .	Westborough. Milford.
11th,	{ Berlin, . . . Boylston, . . . Clinton, . . . Northborough, . . . Southborough, . . . Sterling, . . . West Boylston, . . . }	Frederick H. Bates, . David I. Walsh, .	Sterling. Clinton.
12th,	{ Bolton, . . . Fitchburg, Ward 6, . . . Harvard, . . . Lancaster, . . . Lunenburg, . . . }	Sewell G. Cushing,* .	Fitchburg.

* Elected June 4, qualified June 12, in place of Isaac C. Wright, who died April 9.

COUNTY OF WORCESTER — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
13th,	{ Fitchburg, Wards 1, 2, 3, { 4, 5, }	Charles H. Blood, . . James Pearce, . . .	Fitchburg. Fitchburg.
14th,	Leominster,	Alexander S. Paton, . .	Leominster.
15th,	Worcester, Ward 1, . .	J. Lewis Ellsworth, . .	Worcester.
16th,	Worcester, Ward 2, . .	John P. Munroe, . . .	Worcester.
17th,	Worcester, Ward 3, . .	William I. McLoughlin,	Worcester.
18th,	Worcester, Ward 4, . .	James H. Mellen, . . .	Worcester.
19th,	Worcester, Ward 5, . .	John G. Hagberg, . . .	Worcester.
20th,	Worcester, Ward 6, . .	James Hunt,	Worcester.
21st,	Worcester, Ward 7, . .	David Manning, . . .	Worcester.
22d,	Worcester, Ward 8, . .	Charles T. Tatman, . .	Worcester.

COUNTY OF HAMPSHIRE.

1st,	{ Goshen, Hadley, Hatfield, Northampton, Westhampton, Williamsburg, }	William H. Feiker, . . George E. Smith, . . .	Northampton. Hadley.
2d,	{ Chesterfield, Cummington, Easthampton, Huntington, Middlefield, Plainfield, Southampton, Worthington, }	Charles H. Upson, . . .	Easthampton.
3d,	{ Amherst, Granby, South Hadley, Pelham, }	Elliot J. Aldrich, . . .	Granby.
4th,	{ Belchertown, Enfield, Greenwich, Prescott, Ware, }	Merrick A. Morse, . . .	Belchertown.

COUNTY OF HAMPDEN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Brimfield, . . . Holland, . . . Monson, . . . Palmer, . . . Wales, . . . }	Nelson A. Bugbee, .	Monson.
2d,	{ Agawam, . . . East Longmeadow, . Granville, . . . Hampden, . . . Longmeadow, . . . Ludlow, . . . Southwick, . . . Tolland, . . . Wilbraham, . . . }	Charles C. Beebe, .	Wilbraham.
3d,	Springfield, Wards 1, 2, 8, {	Lewis D. Robinson, . Willmore B. Stone, .	Springfield. Springfield.
4th,	Springfield, Wards 3, 4, 5, {	John F. Marsh, . . William S. Warriner, .	Springfield. Springfield.
5th,	Springfield, Wards 6, 7, .	Benjamin C. Harvey, .	Springfield.
6th,	{ Chicopee, Wards 1, 2, 3, { 4, 5, 6, . . . }	Daniel J. Driscoll, 2d,* .	Chicopee.
7th,	{ Chicopee, Ward 7, . . Holyoke, Wards 1, 2, 3, { 4, 5, . . . }	Thomas J. Dillon, . . Thomas J. Dooling, . .	Holyoke. Holyoke.
8th,	Holyoke, Wards 6, 7, .	Augustine W. Esleeck, .	Holyoke.
9th,	{ Blandford, . . . Chester, . . . Montgomery, . . . Russell, . . . West Springfield, . . Westfield, . . . }	Frank S. Dewey, Jr., . George H. Hapgood, . .	Westfield. Chester.

* Elected February 6, qualified February 14, to fill a vacancy caused by a tie vote at the annual election.

COUNTY OF FRANKLIN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Ashfield, . . . Buckland, . . . Charlemont, Colrain, . . . Conway, . . . Hawley, . . . Heath, . . . Monroe, . . . Rowe, . . . Shelburne, . . . }	George R. Fessenden, .	Ashfield.
2d,	{ Bernardston, . . . Gill, . . . Greenfield, . . . Leyden, . . . }	William A. Davenport, .	Greenfield.
3d,	{ Deerfield, . . . Leverett, . . . Montague, . . . Sunderland, . . . Wendell, . . . Whately, . . . }	John E. Kavanaugh, .	Montague.
4th,	{ Erving, . . . New Salem, . . . Northfield, . . . Orange, . . . Shutesbury, . . . Warwick, . . . }	Charles C. Brooks, .	Orange.

COUNTY OF BERKSHIRE.

1st,	{ Clarksburg, . . . North Adams, . . . }	Willard M. Brown, . Charles A. Card, .	North Adams. North Adams.
2d,	{ Dalton, . . . Hancock, . . . Lanesborough, . . . New Ashford, . . . Williamstown, . . . }	Edward L. Brown, .	Dalton.
3d,	{ Adams, . . . Cheshire, . . . Florida, . . . Savoy, . . . Windsor, . . . }	Fred N. Haskins, .	Savoy.

COUNTY OF BERKSHIRE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
4th,	Pittsfield, . . . }	Frank Bartlett, . . . William Turtle, . . .	Pittsfield. Pittsfield.
5th,	{ Becket, . . . Hinsdale, . . . Lenox, . . . Peru, . . . Richmond, . . . Washington, . . . West Stockbridge, . . . }	Patrick H. Tobin, . . .	Becket.
6th,	{ Lee, . . . New Marlborough, . . . Otis, . . . Sandisfield, . . . Stockbridge, . . . Tyringham, . . . }	John H. Casey, . . .	Lee.
7th,	{ Alford, . . . Egremont, . . . Great Barrington, . . . Monterey, . . . Mount Washington, . . . Sheffield, . . . }	Harvey F. Shufelt, . . .	Gt. Barrington.

COUNTY OF NORFOLK.

1st,	{ Dedham, . . . Norwood, . . . Westwood, . . . }	Arthur Clark, . . .	Dedham.
2d,	Brookline, . . .	Benjamin C. Dean, . . .	Brookline.
3d,	Hyde Park, . . .	Walter S. Weston, . . .	Hyde Park.
4th,	{ Canton, . . . Milton, . . . }	William W. Brooks,* . . .	Canton.
5th,	Quincy, . . . }	Eben W. Sheppard, . . . Eugene H. Sprague, . . .	Quincy. Quincy.
6th,	{ Braintree, . . . Weymouth, . . . }	Edward W. Hunt, . . . John B. Whelan, . . .	Weymouth. Weymouth.
7th,	{ Avon, . . . Holbrook, . . . Randolph, . . . }	Charles F. King, . . .	Holbrook.

* Elected April 3, qualified April 14, in place of George R. R. Rivers of Milton, who died February 11.

COUNTY OF NORFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
8th,	{ Sharon, . . . } { Stoughton, . . . } { Walpole, . . . }	Silas A. Stone, . . .	Sharon.
9th,	{ Dover, . . . } { Medfield, . . . } { Millis, . . . } { Needham, . . . } { Wellesley, . . . }	Stillman J. Spear, . . .	Medfield.
10th,	{ Bellingham, . . . } { Foxborough, . . . } { Franklin, . . . } { Medway, . . . } { Norfolk, . . . } { Wrentham, . . . }	Lester L. Burrington, . . Warren E. Fairbanks, . .	Franklin. Bellingham.

COUNTY OF PLYMOUTH.

1st,	{ Kingston, . . . } { Plymouth, . . . }	William S. Kyle, . . .	Plymouth.
2d,	{ Duxbury, . . . } { Marshfield, . . . } { Norwell, . . . } { Pembroke, . . . } { Scituate, . . . }	Albert M. Goulding, . .	Duxbury.
3d,	{ Cohasset, . . . } { Hingham, . . . } { Hull, . . . }	Frederic M. Hersey, . .	Hingham.
4th,	{ Hanover, . . . } { Hanson, . . . } { Rockland, . . . }	Frederic O. MacCartney,	Rockland.
5th,	{ Abington, . . . } { Whitman, . . . }	William S. O'Brien, . .	Abington.
6th,	{ Carver, . . . } { Lakeville, . . . } { Marion, . . . } { Mattapoisett, . . . } { Rochester, . . . } { Wareham, . . . }	Joseph L. Cole, . . .	Mattapoisett.
7th,	{ Halifax, . . . } { Middleborough, . . . } { Plympton, . . . }	William C. Litchfield, . .	Middleborough.

COUNTY OF PLYMOUTH—CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
8th,	{ Bridgewater, . . . East Bridgewater, . . West Bridgewater, . . }	Curtis Eddy, . . .	W. Bridgewater.
9th,	Brockton, Wards 3, 4, .	Edward H. Keith, . .	Brockton.
10th,	Brockton, Wards 1, 2, 5, }	George H. Garfield, . Portus B. Hancock, .	Brockton. Brockton.
11th,	Brockton, Wards 6, 7, .	A. Webster Butler, .	Brockton.

COUNTY OF BRISTOL.

1st,	{ Attleborough, . . . North Attleborough, . Norton, Rehoboth, Seekonk, }	Harry Draper Hunt, . Jacob A. Leonard, .	N. Attleborough. Norton.
2d,	{ Easton, Mansfield, Raynham, }	George C. Belcher, .	Easton.
3d,	Taunton, Wards 5, 7, 8, .	James F. Heath, . .	Taunton.
4th,	Taunton, Wards 2, 3, 4, .	Silas D. Reed, . . .	Taunton.
5th,	{ Berkley, Dighton, Taunton, Wards 1, 6, }	Clarence A. Briggs, .	Taunton.
6th,	{ Acushnet, Dartmouth, Fairhaven, Freetown, }	Levi M. Snow, . . .	Fairhaven.
7th,	{ New Bedford, Wards 1, } 2, 3, }	William A. MacCord, . John E. O'Neill, . .	New Bedford. New Bedford.
8th,	{ New Bedford, Wards 4, } 5, 6, }	William J. Bullock, . Frank W. Francis, .	New Bedford. New Bedford.
9th,	{ Fall River, Wards 1, 2, } Westport, }	William Hopewell,* . Edwin J. Mills, . .	Fall River. Fall River.
10th,	Fall River, Wards 3, 4, 5, }	Thomas Donahue, . . Michael B. Jones, . .	Fall River. Fall River.

* Resigned July 17.

HOUSE OF REPRESENTATIVES.

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COUNTY OF BRISTOL — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
11th,	{ Fall River, W'ds 6, 7, 8, 9, } { Somerset, . . . } { Swansea, . . . }	Thomas E. Gibney, . Edward M. Thurston, . Alvin G. Weeks, .	Fall River. Swansea. Fall River.

COUNTY OF BARNSTABLE.

1st,	{ Barnstable, . . . } { Bourne, . . . } { Falmouth, . . . } { Mashpee, . . . } { Sandwich, . . . }	Aaron S. Crosby, . .	Barnstable.
2d,	{ Chatham, . . . } { Dennis, . . . } { Harwich, . . . } { Yarmouth, . . . }	Darius M. Nickerson, Jr.,	Harwich.
3d,	{ Brewster, . . . } { Eastham, . . . } { Orleans, . . . } { Provincetown, . . . } { Truro, . . . } { Wellfleet, . . . }	Robert E. Conwell, .	Provincetown.

COUNTY OF DUKES COUNTY.

1st,	{ Chilmark, . . . } { Cottage City, . . . } { Edgartown, . . . } { Gay Head, . . . } { Gosnold, . . . } { Tisbury, . . . } { West Tisbury, . . . }	Benjamin G. Collins, .	Edgartown.
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COUNTY OF NANTUCKET.

1st,	Nantucket, . . .	Arthur H. Gardner, .	Nantucket.
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JAMES W. KIMBALL, *Clerk.*
DANIEL W. WALDRON, *Chaplain.*
JOHN G. B. ADAMS, *Sergeant-at-Arms.*

JUDICIAL DEPARTMENT.

SUPREME JUDICIAL COURT.

CHIEF JUSTICE.

OLIVER WENDELL HOLMES, of *Boston.*

ASSOCIATE JUSTICES.

MARCUS P. KNOWLTON, of *Springfield.*
 JAMES M. MORTON, of *Fall River.*
 JOHN LATHROP, of *Boston.*
 JAMES MADISON BARKER, of *Pittsfield.*
 JOHN WILKES HAMMOND, of *Cambridge.*
 WILLIAM CALEB LORING, of *Boston.*

SUPERIOR COURT.

CHIEF JUSTICE.

ALBERT MASON, of *Brookline.*

ASSOCIATE JUSTICES.

EDGAR J. SHERMAN, of *Lawrence.*
 ROBERT R. BISHOP, of *Newton.*
 DANIEL W. BOND, of *Waltham.*
 HENRY K. BRALEY, of *Fall River.*
 JOHN HOPKINS, of *Millbury.*
 ELISHA BURR MAYNARD, of *Springfield.*
 FRANKLIN G. FESSENDEN, of *Greenfield.*
 JAMES B. RICHARDSON, of *Boston.*
 HENRY N. SHELDON, of *Boston.*
 FRANCIS A. GASKILL, of *Worcester.*
 JOHN H. HARDY, of *Arlington.*
 WILLIAM B. STEVENS, of *Stoneham.*
 CHARLES U. BELL, of *Lawrence.*
 JOHN A. AIKEN, of *Greenfield.*
 FREDERICK LAWTON, of *Lowell.*
 EDWARD P. PIERCE, of *Fitchburg.*

* Vacancy, caused by the resignation of associate justice Caleb Blodgett, to take effect Sept. 1, 1900.

COURT OF LAND REGISTRATION.

JUDGE.

LEONARD A. JONES, of *Boston*.

ASSOCIATE JUDGE.

CHARLES T. DAVIS, of *Worcester*.

RECORDER.

CLARENCE C. SMITH, of *Everett*.

JUDGES OF PROBATE AND INSOLVENCY.

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ROBERT GRANT, Boston,	SUFFOLK.
ROLLIN E. HARMON, Lynn,	ESSEX.
CHARLES J. McINTIRE, Cambridge,	MIDDLESEX.
GEORGE FIELD LAWTON, Lowell,	MIDDLESEX.
WILLIAM T. FORBES, Westborough,	WORCESTER.
WILLIAM G. BASSETT, Northampton,	HAMPSHIRE.
CHARLES L. LONG, Springfield,	HAMPDEN.
FRANCIS M. THOMPSON, Greenfield,	FRANKLIN.
EDWARD T. SLOCUM, Pittsfield,	BERKSHIRE.
JAMES H. FLINT, Weymouth,	NORFOLK.
BENJAMIN W. HARRIS, East Bridgewater,	PLYMOUTH.
WILLIAM E. FULLER, Taunton,	BRISTOL.
HIRAM P. HARRIMAN, Wellfleet,	BARNSTABLE.
CHARLES G. M. DUNHAM, Edgartown,	DUKES.
THADDEUS C. DEFRIEZ, Nantucket,	NANTUCKET.

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GEORGE H. HARLOW, Worcester,	WORCESTER.
HUBBARD M. ABBOTT, Northampton,	HAMPSHIRE.
SAMUEL B. SPOONER, Springfield,	HAMPDEN.
FRANCIS NIMS THOMPSON, Greenfield,	FRANKLIN.
FRED. R. SHAW, Adams,	BERKSHIRE.
JONATHAN COBB, Dedham,	NORFOLK.
JOHN C. SULLIVAN, Middleborough,	PLYMOUTH.
ARTHUR M. ALGER, Taunton,	BRISTOL.
FREEMAN H. LOTHROP, Barnstable,	BARNSTABLE.
BERIAH T. HILLMAN, Edgartown,	DUKES.
HENRY RIDDELL, Nantucket,	NANTUCKET.

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LEMUEL LEBARON HOLMES, New Bedford,	SOUTHERN.
ROBERT O. HARRIS, East Bridgewater,	SOUTHEASTERN.
ROCKWOOD HOAR, Worcester,	MIDDLE.
CHARLES L. GARDNER, Springfield,	WESTERN.
JOHN C. HAMMOND, Northampton,	NORTHWESTERN.

SHERIFFS.

FRED H. SEAVEY,* Boston,	SUFFOLK.
SAMUEL A. JOHNSON, Salem,	ESSEX.
JOHN R. FAIRBAIRN, Cambridge,	MIDDLESEX.
ROBERT H. CHAMBERLAIN, Worcester,	WORCESTER.
JAIRUS E. CLARK, Northampton,	HAMPSHIRE.
EMBURY P. CLARK, Springfield,	HAMPDEN.
ISAAC CHENERY, Montague,	FRANKLIN.
CHARLES W. FULLER, North Adams,	BERKSHIRE.
SAMUEL H. CAPEN, Canton,	NORFOLK.
ALPHEUS K. HARMON, Plymouth,	PLYMOUTH.
EDWIN H. EVANS, Taunton,	BRISTOL.
JUDAH H. CHASE, Harwich,	BARNSTABLE.
JASON L. DEXTER, Edgartown,	DUKES.
JOSIAH F. BARRETT, Nantucket,	NANTUCKET.

CLERKS OF COURTS.

HENRY A. CLAPP, Boston, Clerk of the Supreme Judicial Court for the Commonwealth.

JOHN NOBLE, Boston, Supreme Judicial Court,	SUFFOLK.
JOSEPH A. WILLARD, Boston, Sup. Ct., Civil Bus.,	} SUFFOLK.
JOHN P. MANNING, Boston, Sup. Ct., Crim. Bus.,	
EDWARD B. GEORGE, Haverhill,	ESSEX.
THEODORE C. HURD, Winchester,	MIDDLESEX.
THEODORE S. JOHNSON, Worcester,	WORCESTER.
WILLIAM H. CLAPP, Northampton,	HAMPSHIRE.
ROBERT O. MORRIS, Springfield,	HAMPDEN.
CLIFTON L. FIELD, Greenfield,	FRANKLIN.
FRANK H. CANDE, Pittsfield,	BERKSHIRE.
LOUIS A. COOK, Weymouth,	NORFOLK.
EDWARD E. HOBART, Plymouth,	PLYMOUTH.
SIMEON BORDEN, Fall River,	BRISTOL.
SMITH K. HOPKINS, Barnstable,	BARNSTABLE.
SAMUEL KENISTON, Edgartown,	DUKES.
JOSIAH F. MURPHEY, Nantucket,	NANTUCKET.

* Appointed May 23, 1900, in place of John B. O'Brien, deceased.

MEMBERS OF THE FIFTY-SIXTH CONGRESS.

[Congressional Districts established by Chap. 306, Acts of 1891, and Chap. 519, Acts of 1896.]

SENATORS.

GEORGE F. HOAR, of Worcester.
 HENRY CABOT LODGE, of Nahant.

REPRESENTATIVES.

DISTRICT I.—GEORGE P. LAWRENCE, of North Adams.
 II.—FREDERICK H. GILLETT, of Springfield.
 III.—JOHN R. THAYER, of Worcester.
 IV.—GEORGE W. WEYMOUTH, of Fitchburg.
 V.—WILLIAM S. KNOX, of Lawrence.
 VI.—WILLIAM H. MOODY, of Haverhill.
 VII.—ERNEST W. ROBERTS, of Chelsea.
 VIII.—SAMUEL W. McCALL, of Winchester.
 IX.—JOHN F. FITZGERALD, of Boston.
 X.—HENRY F. NAPHEN, of Boston.
 XI.—CHARLES F. SPRAGUE, of Brookline.
 XII.—WILLIAM C. LOVERING, of Taunton.
 XIII.—WILLIAM S. GREENE, of Fall River.

APPENDIX

The following tables have been prepared by FISHER AMES, Esq., appointed to that duty under Chapter 238 of the Acts of 1882, which directs the Governor to appoint some person to prepare "tables showing what general statutes have been affected by subsequent legislation, in such manner as to furnish ready reference to all changes in such statutes."

TABLES

SHOWING

WHAT GENERAL STATUTES OF THE COMMONWEALTH
HAVE BEEN AFFECTED BY SUBSEQUENT
LEGISLATION.

I.

CHANGES IN THE "PUBLIC STATUTES."

Chapter 1.—Of the Jurisdiction of the Commonwealth and Places ceded to the United States.

SECT. 1. Provision is made for defining the boundary line between Massachusetts and other states. Connecticut,—Res. 1898, 39. Rhode Island,—St. 1883, 113, 154. Res. 1897, 88; 1898, 7. St. 1899, 476. New Hampshire,—Res. 1885, 73; 1886, 58; 1890, 73; 1891, 70; 1895, 106. St. 1899, 369. New Hampshire and Vermont,—Res. 1893, 87. New York,—Res. 1897, 25; 1898, 6. St. 1900, 131. For renewal of monuments marking boundary lines. St. 1898, 299.

SECT. 3. A part of Gallop's island in Boston harbor is added. St. 1889, 27. And certain lands in Winthrop. 1891, 81. In Taunton. 1891, 197. In Boston. 1899, 64; 1900, 247. And part of Peddock's island. 1897, 240. And of Long island. 1900, 178.

SECT. 4. Lands for the use of the United States fisheries commission added. St. 1882, 131. (See 1892, 43.) And land in Hull. 1898, 512.

Provision for reclaiming and improving waste lands with labor of certain convicts. St. 1898, 393.

Chapter 2.—Of the General Court.

Legislation recommended by State boards, etc., shall be reported to the secretary of the Commonwealth before first Wednesday in January. St. 1893, 144.

The employment of legislative counsel and agents is regulated and provision made for returns of expenses therefor. St. 1890, 456; 1891, 223; 1895, 410; 1896, 342. (See 1891, 349; 1894, 298.)

Stenographic reports of committee hearings shall be deposited in State library, on or before end of session. St. 1897, 113.

SECTS. 1-4. See St. 1898, 548 § 257.

SECT. 5 *et seq.* Manner of publishing notice and presenting petitions changed in certain cases. St. 1885, 24; 1890, 302; 1896, 381. (See 1885, 371; 1888, 375 § 3.)

Advertisement of committee hearings regulated. St. 1898, 76. (See 1885, 371; 1897, 503. Res. 1900, 1.)

SECTS. 15, 16. Compensation of members changed. The issuing to or acceptance by them of railroad tickets free, or at less than usual rates, is forbidden. St. 1892, 59. (See 1884, 319; 1886, 352; 1894, 359.)

SECTS. 17, 18. Compensation of door-keepers, messengers, postmaster and pages fixed. St. 1895, 193. (See 1882, 257; 1887, 116; 1895, 11. Res. 1894, 86.)

SECTS. 21, 22. Clerks' salaries fixed and allowance made for clerical assistance. St. 1884, 329, 334; 1888, 1; 1894, 394. (See 1882, 257.)

SECTS. 24, 35 repealed. St. 1884, 60.

SECT. 26 is revised. St. 1899, 100.

SECT. 27. Number of door-keepers, etc., increased. St. 1882, 257 § 4; 1895, 11.

SECT. 28. See 1889, 150, 440 §§ 9, 14; 1894, 393 § 9.

SECT. 32. See St. 1888, 436 § 14; 1892, 124; 1893, 417 §§ 137, 148.

SECT. 34. Additional holidays. St. 1882, 49; 1887, 263. Fast Day abolished and April 19 made a holiday. St. 1894, 130; 1896, 162.

Chapter 3. — Of the Statutes.

A commission is established to promote uniformity of legislation in the United States. St. 1891, 405; 1893, 311. (See 1897, 232.)

Provision for codification of public statutes. Res. 1896, 87.

SECT. 1. When an act is to be voted on for acceptance by a municipal or other corporation, a return of the vote must be made to the secretary of the Commonwealth. St. 1883, 100.

SECT. 3. Words "mayor and aldermen" defined. St. 1882, 164.

"Net indebtedness" of towns, cities and districts defined. St. 1883, 127.

Legal notices may be published in a periodical devoted exclusively to legal news. St. 1885, 235.

Word "gaming" includes lotteries, policy, pool buying or selling and registering bets. St. 1895, 419 § 1.

Political terms defined. St. 1898, 548 § 1. (See 1895, 489, 507.)

Cl. 10. The word "lunatic" wherever it occurs in the laws relating to the insane is changed to "insane person." St. 1898, 433 § 23.

Chapter 4. — Of the Printing and Distribution of the Laws and Public Documents.

This chapter is revised. St. 1894, 393; 1895, 96, 238, 250, 290, 363, 463 § 2; 1896, 86, 189, 221, 223, 258; 1897, 134 § 2, 141, 243; 1898, 175, 320; 1899, 309; 1900, 225, 360, 386. (See 1882, 6, 158; 1883, 55; 1884, 166; 1885, 369; 1886, 346 § 2; 1887, 118; 1888, 23, 85, 122, 186, 191, 256, 383; 1889, 32, 35, 124, 150, 164, 212, 440; 1890, 50, 97, 126, 223 § 3, 347 § 2, 423 § 118; 1891, 76, 191, 193, 292; 1892, 140; 1893, 70, 108, 144, 223, 413, 417 § 204, 438, 476 § 3; 1894, 200; 1898, 433 § 23; 1899, 336. Res. 1886, 36; 1891, 60; 1894, 20; 1896, 5, 26, 27, 33, 35, 42, 61, 70, 88, 96, 99, 111; 1897, 6, 8, 20, 95; 1898, 95; 1899, 78; 1900, 9, 80.

Provision is made for publishing tables of changes in the general statutes. St. 1882, 238. For reports of election cases. Res. 1886, 36. For reports of capital cases. St. 1886, 214. For supplements to the Public

Statutes. St. 1888, 383. Res. 1891, 60. St. 1895, 363; 1898, 311. Histories of certain Massachusetts soldiers and sailors. St. 1889, 374; 1891, 235; 1899, 475. Res. 1891, 100; 1892, 67. (See 1893, 411, 413. Res. 1895, 62, 104; 1896, 87; 1897, 22; 1900, 2, 13.) For publication of province laws. St. 1894, 387; 1899, 477.

Provision made for payment of postage and express charges on certain public documents. St. 1899, 93. (See 1889, 53; 1892, 422.)

No illustrations shall be introduced into printed reports to the governor or legislature unless authorized by law, or approved by secretary of State. St. 1896, 258.

Chapter 5. — Of the State House, the Sergeant-at-Arms and State Library.

Additional accommodations are provided for. St. 1882, 262; 1888, 349; 1889, 300, 394; 1892, 404, 438; 1893, 450; 1894, 532. (See 1891, 224; 1893, 129, 325, 411; 1895, 39, 490; 1896, 531, 549; 1898, 395; 1900, 382. Res. 1891, 21, 25; 1892, 34, 96.) Portraits of governors to be collected. Res. 1890, 58; 1895, 54.

SECRS. 4, 6, 9, 10. The duties of the sergeant-at-arms are revised. St. 1884, 14; 1887, 128; 1889, 53; 1890, 456 § 2; 1891, 223; 1894, 230 § 2, 298; 1895, 11, 284.

He shall give bond for faithful performance of duties and accounting. St. 1895, 284 § 3.

Clerk provided for. St. 1887, 128. Salaries fixed: Sergeant-at-arms. St. 1895, 284, § 2. (See 1884, 333; 1887, 128.) Clerk. St. 1893, 358. (See 1887, 128.) Messenger. St. 1893, 409. Certain expenses provided for. St. 1894, 314; 1895, 10, 93, 365. (See 1884, 179; 1889, 53; 1898, 366. Res. 1895, 68.)

SECT. 12 is revised. Contingent expenses of the council and officers in the State House are omitted. St. 1887, 128. Authority enlarged. St. 1894, 531. (See 1897, 204.)

SECT. 15 *et seq.* The trustees and librarian are authorized to prepare an index of current events. St. 1892, 140.

SECT. 17 repealed. Appointment of trustees and librarian regulated and salaries fixed. St. 1893, 86. (See 1887, 209; 1892, 287, 422; 1894, 176; 1897, 113; 1899, 192.)

SECT. 18. Additional allowance made for assistance in State library. St. 1891, 24. (See 1882, 29; 1886, 66.)

SECT. 20. Appropriations increased. St. 1897, 114; 1889, 192. (See 1882, 196; 1888, 24.)

Chapter 6. — Of the Qualification and Registration of Voters.

This chapter is revised. St. 1898, 548; 1899, 148, 220, 323, 329, 346, 361. (See 1882, 247, 268; 1884, 298; 1885, 246, 271 § 6, 345 § 7; 1886, 68, 264; 1887, 249, 329, 432; 1888, 200, 206; 1889, 69, 196, 337 § 1, 404; 1890, 393, 423 §§ 2-65, 208; 1891, 242, 277, 286, 290, 395; 1892, 351; 1893, 209, 351, 417; 1894, 268, 271, 291; 1895, 2, 27, 61, 207, 220, 355, 425, 436, 489, 502; 1896, 73, 109, 363, 469, 527, 547; 1897, 210, 530; 1898, 423. Amendments to constitution, arts. 3, 32.) Special provisions for Boston. St. 1897, 296; 1898, 401, 548 §§ 9, 70-80. (See 1900, 241, 267.)

Chapter 7.—Of the Manner of Conducting Elections and Returning Votes.

This chapter is revised, and the laws relating to elections codified and consolidated. St. 1898, 548; 1899, 146, 190, 209, 220, 323, 329, 346, 361; 1900, 120, 198, 231, 245, 307. (See 1882, 28, 74, 260; 1883, 42, 100, 229; 1884, 299; 1885, 108, 142, 159, 229, 248, 268, 351; 1886, 49, 262, 264; 1887, 272, 371; 1888, 146, 164, 203, 353, 434, 436, 437, 441; 1889, 191, 413; 1890, 175, 219, 223, 254, 381, 386, 393, 423, 436; 1891, 10, 31, 74, 155, 238, 256, 264, 269, 270, 278, 305, 314, 328, 329, 336; 1892, 51, 115, 124, 190, 224, 279, 316, 332, 368, 405, 406, 416, 431; 1893, 39, 87, 146, 177, 209, 304, 307, 308, 349, 351, 376, 417, 465; 1894, 132, 200, 209, 248, 275, 343, 385, 449, 504, 508 §§ 4, 5; 1895, 89, 196, 220, 237, 240, 242, 244, 253, 262, 275, 285, 299, 323, 355, 436, 489, 502, 507, 508; 1896, 244, 363, 383, 393, 469, 498, 518, 527; 1897, 91, 475, 482, 530; 1898, 83, 155, 163, 171, 191, 217, 378, 379, 435, 472, 554; 1900, 213, 267.)

Chapter 8.—Of the Election of Governor and other State Officers.

This chapter is revised. St. 1898, 548 §§ 208, 311-323. (See 1884, 299 § 7; 1885, 107; 1886, 262 § 5; 1890, 423 §§ 146-164, 228; 1893, 417 §§ 146, 198, 247.)

New senatorial and councillor districts are established, and new apportionment made of representatives. St. 1896, 509. (See 1886, 256, 338, 348; 1897, 287, 475.)

Chapter 9.—Of the Election of Representatives in Congress and Electors of President and Vice President.

This chapter is revised. St. 1898, 548 §§ 208, 271, 272, 280, 312, 313. (See 1888, 382; 1890, 423 §§ 165-187, 228; 1891, 234 § 2; 1892, 279; 1893, 417, Title IX.)

New congressional districts established. St. 1896, 519. (See 1891, 396.) The requirement of residence in the district is omitted. St. 1882, 253.

Chapter 10.—Of the Election of District and County Officers.

This chapter is revised. St. 1898, 548, Title X. (See 1890, 198, 423 §§ 188-207; 1892, 115; 1893, 39, 417, Title IX; 1900, 198.)

The office of commissioner of insolvency is abolished. St. 1895, 100. (See Res. 1894, 87.)

Chapter 11.—Of the Assessment of Taxes.

Provision for uniformity in assessment. St. 1898, 507.

Provision is made for a State tax on certain collateral successions and grants. St. 1891, 425; 1892, 379; 1893, 432; 1895, 307, 430; 1896, 108; 1900, 371.

Polls and estates established as a basis for apportionment of State and county taxes. St. 1898, 232. (See 1883, 71; 1886, 73; 1889, 103; 1892, 96; 1895, 90.) In certain cities the tax rate may be based on valuation of preceding year. St. 1893, 247.

The rate of taxation is limited in cities. St. 1885, 312 § 1; 1893, 247, 445. (See 1885, 178; 1887, 226; 1900, 399.)

Provision for assessment of property held for water-supply purposes in another city or town. St. 1893, 352. (See 1897, 327.) Tax on street railways. St. 1898, 578 §§ 7-12.

The assessors may divide any ward in a city into convenient assessment districts. St. 1889, 115.

They shall print and distribute in cities and certain towns, and post in other towns, lists of voters and polls. St. 1893, 417 § 18; 1898, 548 § 18. (See 1884, 298 § 19; 1888, 206; 1890, 305, 423 §§ 25, 26; 1891, 277; 1892, 351 §§ 7-10.)

SECT. 1. As to poll taxes on females, see St. 1893, 417 §§ 14, 16; 1898, 548 §§ 14, 16.

SECT. 4. "Or indebtedness" substituted for "due" in sixth line. St. 1882, 76. But see St. 1888, 363. Words "this proviso shall apply to corporations mentioned in Pub. St., ch. 13 § 46," added. St. 1887, 228.

Railroad bonds are made taxable. St. 1888, 363.

Personal property leased for profit is made taxable, where situate, to the owner or person having possession. St. 1889, 446.

SECT. 5, cl. 3, is revised. Certain societies and associations are added. St. 1889, 465. (See 1882, 217 § 2; 1886, 231; 1888, 158.) They must make yearly reports. St. 1899, 259.

CL. 9. Certain real estate of incorporated horticultural societies is exempted. St. 1884, 176.

CL. 10. It does not affect the exemption that the property is owned in common with others. St. 1885, 169.

CL. 11. Domestic fowls to the value of fifteen dollars exempted. St. 1894, 220.

CL. 12. See St. 1884, 298 § 7. Property of certain disabled soldiers and sailors exempted to the amount of \$2,000. St. 1897, 148; 1898, 370. (See 1894, 315; 1895, 202.)

SECT. 6. See St. 1883, 189.

SECT. 10. The provisions of this section are extended. St. 1898, 353. (See 1887, 373; 1889, 286; 1891, 116; 1893, 149.)

SECT. 11. See St. 1900, 432 § 1.

SECT. 13. The person appearing as the owner of record is to be held to be the true owner even though deceased. St. 1889, 84.

SECT. 14 amended. "Taxable real estate," in first line, changed to "real estate not exempt from taxation under section five of this chapter." St. 1882, 175 § 3.

SECTS. 14-16. See St. 1888, 390 §§ 32-34; 1889, 334.

SECT. 20. Provision made for assessment of personal property held by an assignee in insolvency, or for creditors; and of personal property held by joint owners or tenants in common, other than partners. St. 1882, 165.

Royalty-paying machines are assessable. St. 1887, 125. Personal property leased for profit shall be assessed where situated. St. 1889, 446.

CL. 2. An act to prevent the double taxation of certain machinery. St. 1894, 304.

CL. 5. Amended to prevent double taxation. St. 1894, 490.

CL. 6. See St. 1888, 390 § 26.

CL. 7. See St. 1891, 425; 1892, 379; 1893, 432; 1895, 307, 430; 1896, 108.

SECT. 31 *et seq.* See St. 1885, 312; 1893, 247, 445.

SECT. 34. See St. 1882, 133.

SECT. 38. Returns of mortgages of real estate provided for. St. 1882, 175. And of property held for literary, benevolent, charitable or scientific purposes. St. 1882, 217; 1888, 323. Uniform returns provided for. Inspection of lists restricted. St. 1894, 294; 1898, 507.

SECT. 38 *et seq.* See St. 1884, 298 §§ 11-14; 1888, 200, 206; 1890, 423 § 17; 1893, 352, 417 §§ 16-21; 1898, 548 §§ 16-23.

SECTS. 38, 72. See Res. 1892, 55.

SECT. 39 amended. St. 1891, 381.

SECT. 44. Provision for abatement without a new list in certain cases. St. 1894, 354.

SECT. 49. The overlay is valid, although it may cause the tax to exceed the legal limit. St. 1887, 226. (See 1885, 312; 1887, 281; 1888, 362; 1893, 247, 445.)

SECT. 50. Form of lists regulated. St. 1898, 507 § 2. (See 1888, 307; 1897, 439 § 14.)

SECTS. 52-55 are amended and changes made in returns. St. 1883, 41, 91; 1890, 242; 1891, 65. (See 1885, 106; 1886, 56; 1887, 86. Amendments to constitution, art. 32.) As to Boston, see St. 1894, 318; 1898, 548 §§ 16, 21; 1899, 361.

SECT. 61. Assessors shall certify amount assessed upon each poll as State and county tax respectively. St. 1889, 467 § 1.

SECT. 67 is revised. St. 1900, 168.

SECT. 69. Tenants under obligation to pay taxes may apply for abatement. St. 1888, 315. (See 1890, 127.)

SECTS. 69-76. Appeal may be made to superior court. Proceedings regulated. St. 1890, 127; 1895, 75. (See 1882, 218; 1893, 352 § 3.)

SECT. 73. See St. 1884, 298 § 11; 1888, 200 §§ 1, 4; 1890, 423 § 14; 1893, 417 § 22; 1898, 548 § 23.

SECT. 75. Interest allowed on taxes abated. St. 1894, 207.

SECT. 77. See St. 1885, 67, 161.

SECT. 78 is revised. St. 1888, 362. (See 1886, 85.)

SECT. 90. Assessors must send to tax commissioner all lists and statements received of exempt property. St. 1882, 217 § 3. (See 1890, 160 §§ 2, 3.)

SECT. 91. Amount of sinking funds or proportionate annual payments of debts must be given. St. 1882, 133 § 2.

SECT. 92. As to Boston, see St. 1882, 252 § 5; 1892, 419 § 138.

SECT. 93. Apportionment of State and county taxes is to be stated on tax bills of males assessed for poll tax only, and they are not entitled to a certificate under this section. St. 1889, 467 § 2. (See 1884, 298 § 8.)

SECTS. 96, 97. For apportionments see St. 1883, 71; 1886, 73; 1889, 103; 1892, 96; 1895, 90; 1898, 232, 546.

Chapter 12.—Of the Collection of Taxes.

This chapter is repealed, and the law as to the collection of taxes revised and codified. St. 1888, 390; 1889, 253, 334; 1890, 331; 1891, 288, 425; 1892, 169, 168, 370, 379; 1893, 241, 432; 1894, 537; 1895, 307, 430; 1896, 108; 1897, 126, 153 § 8; 1899, 425; 1900, 376. (See 1882, 243; 1883, 101; 1884, 162, 242; 1886, 320; 1887, 110, 142.)

Provision made for preservation of accounts, papers and records relating to assessment and collection of taxes. St. 1892, 370.

State treasurer may sue to recover the State legacy and succession tax. St. 1891, 425 § 18. (See 1900, 371.)

Provision for part payment of taxes. St. 1899, 394.

Provision to prevent excessive charges in redemption of tax titles. St. 1891, 288.

SECTS. 27, 28. See St. 1899, 425.

SECTS. 33, 34. See St. 1892, 168; 1899, 425; 1900, 290.

SECT. 35. See St. 1888, 390 § 40; 1900, 376.

SECT. 66. See St. 1900, 177.

SECT. 84. See St. 1888, 390 § 94.

Chapter 13. — Of the Taxation of Corporations.

Office of deputy tax commissioner abolished and that of tax commissioner and commissioner of corporations established; duties defined and salary fixed. St. 1890, 160; 1891, 233 § 2, 360; 1894, 484, 522 § 92; 1897, 63; 1898, 503, 578 § 4. (See 1882, 217 § 3, 252 § 5; 1884, 330; 1886, 230; 1887, 214 § 94, 342 § 1; 1890, 127 § 7, 321; 1891, 341; 1894, 381, 541; 1896, 402; 1900, 261.)

Deputy provided for. St. 1898, 507 § 3.

SECT. 2. Salaries of clerks fixed and allowance made for clerical assistance. St. 1887, 342 § 2; 1891, 342. Res. 1900, 18.

SECT. 6. See St. 1882, 217 § 3, 252 § 5.

SECTS. 8, 9. Provision made for counsel to defend suits to recover a national bank tax paid to a city or town. St. 1886, 332. (See 1887, 142 § 3; 1888, 390 § 95.)

SECTS. 17, 40. Title insurance companies are to be taxed under these sections. St. 1884, 180 § 5; 1887, 214 §§ 62-64; 1894, 522 §§ 62-64.

SECT. 20. The exemption is extended. 1883, 248. (See P. S., ch. 116 § 20, cl. 8. St. 1886, 77.)

SECTS. 20, 22. Taxes upon savings banks to be assessed by, and returns made to tax commissioner. St. 1890, 160 § 4. Provision for repayment of tax on real estate used for banking purposes. St. 1890, 406; 1891, 171.

SECT. 24 is repealed. The capital stock, franchises and personal estate, but not the real estate, of co-operative banks are exempted. St. 1890, 63. (See 1883, 98; 1885, 121 § 3.)

SECT. 25 *et seq.* The provisions as to the taxation of insurance companies are revised, and §§ 26, 34, 37 are amended. St. 1887, 283; 1888, 154; 1890, 197; 1892, 129. (See 1887, 214 §§ 19, 64; 1894, 522 §§ 19, 64.)

SECT. 33 amended. When reinsurance is effected otherwise than by licensed resident agent no deduction is to be made for sums paid therefor. St. 1888, 154. (See 1887, 214; 1890, 197; 1892, 129.)

SECTS. 38-40. Telephone companies are to be taxed under these sections. St. 1885, 238; 1886, 270.

SECTS. 38-41, 53-66 shall apply to street railway companies. St. 1898, 417, 578. As to returns by and taxation of street railways, see St. 1898, 578 §§ 2, 6-9; 1899, 117; 1900, 413 § 5.

SECTS. 40, 52, 53, 54, 57, 58, 59. Taxation of safe deposit, loan and trust companies regulated. St. 1888, 413 §§ 21-24.

SECT. 43. Taxation of foreign mining, quarrying, land and oil companies regulated. St. 1882, 106; 1883, 74; 1884, 330 § 3; 1886, 230. (See 1891, 341.)

SECT. 46. Corporations mentioned in this section are within the proviso of P. S. ch. 11 § 4. as to local taxation. St. 1887, 228. Rate of taxation fixed. St. 1895, 300.

SECT. 54. Interest on unpaid taxes to be at rate of six per cent. St. 1900, 398.

SECTS. 57, 58 are repealed and superseded, so far as relates to street railways. St. 1898, 578.

SECTS. 61, 62. Appeal from assessors may be made to superior court. Proceedings regulated. St. 1890, 127. (See 1895, 75; 1898, 505 § 3, 578 §§ 4, 28.)

Chapter 14. — Of the Militia.

This chapter is revised. St. 1893, 367, 439; 1894, 236; 1895, 465; 1896, 348, 425; 1897, 391, 438, 448; 1898, 84, 142, 348, 359, 428, 447, 525, 561, 570; 1899, 302, 381; 1900, 188, 352, 353. (See 1882, 97, 154 § 11, 178, 179; 1884, 45, 230; 1885, 147, 236; 1886, 63, 105, 237; 1887, 411; 1888, 366, 384; 1889, 360; 1890, 425; 1891, 232; 1892, 238, 366; 1893, 193, 231; 1898, 326 § 5, 347; 1900, 162, 266. Res. 1882, 15; 1890, 67.)

Provision for examining boards. St. 1899, 381.

An act regulating the staff of the commander-in-chief. St. 1898, 359; 1900, 352, 353.

A naval brigade is established. St. 1892, 366; 1893, 367 § 29; 1894, 312; 1896, 182; 1898, 183, 407. (See 1888, 366.) And a nautical training school. St. 1891, 402; 1893, 124.

Provisions relative to enlistment in the United States service, and for raising provisional companies. St. 1898, 428, 447, 454.

Provision made for armories in cities. St. 1888, 384; 1894, 211; 1897, 253. (See 1893, 121, 367 §§ 90, 92-97; 1895, 465 § 5.) And for a military museum. St. 1897, 204.

The law defining what bodies of men may parade with arms is revised. St. 1895, 465 § 6; 1900, 162. (See 1887, 411 § 124; 1890, 425 § 10; 1893, 367 § 124. Res. 1890, 67.)

Ambulance corps reorganized. St. 1894, 236.

Provision is made for appointment of a State military and naval historian. St. 1889, 374; 1891, 235. (See Res. 1894, 14, 94; 1895, 62, 104; 1896, 80; 1898, 55.) For publication of record of soldiers and sailors in war of rebellion. St. 1899, 475. Res. 1900, 13. For a compilation of records of the revolutionary war. Res. 1891, 100; 1900, 2. (See 1897, 22; 1898, 5; 1899, 8, 75.) And of the grand army of the republic. St. 1893, 411. (See St. 1893, 413; 1897, 179, 399; 1899, 388.)

Disposition of battle flags. Res. 1899, 22.

Chapter 15. — Of the Executive Department and the Secretary of the Commonwealth.

Provision for delegates to certain national conventions. St. 1894, 376.

SECTS. 1-10. Salaries fixed: Governor; St. 1892, 101. (See 1884, 328; 1892, 59.) Governor's private secretary and executive secretary; St. 1891, 411; 1898, 104. (See 1884, 8; 1885, 77; 1887, 83.) Executive messenger; 1891, 429. (See 1884, 38; 1887, 221.) Stenographer; 1897, 188. (See 1892, 16.) Secretary of the Commonwealth; 1888, 385. (See 1884, 79.) First and second clerks; 1900, 388. (See 1885, 87;

1886, 238; 1891, 410.) Third clerk; 1897, 351. (See 1883, 48; 1887, 26; 1893, 103.) Allowance for messenger and clerk hire. 1890, 239; 1893, 112; 1895, 402. And for extraordinary expenses. St. 1890, 415. (See 1884, 15; 1889, 53, 101; 1890, 455; 1895, 93; 1898, 393.)

SECT. 2. Salary of lieutenant-governor, when acting governor, fixed. St. 1896, 347.

SECT. 9. Secretary must give bond and make annual reports. St. 1892, 262; 1893, 148; 1896, 443. (See 1894, 393 § 7.)

Additional duties. Res. 1882, 56. St. 1883, 99; 1884, 14, 98 § 4; Res. 1884, 60. St. 1885, 24, 288, 313 § 6, 319, 337, 379 §§ 4-6; 1886, 214; 1887, 118; 1889, 316, 471. Res. 1889, 41, 50, 104. St. 1890, 239, 242, 302, 421 § 8, 439, 448, 456 § 6; 1891, 65, 360 § 5; 1892, 192; 1893, 144, 226, 417; 1894, 326 § 2, 378, 393, 542; 1895, 242; 1896, 248, 258; 1897, 243; 1898, 474 § 7, 485, 502 § 2, 503, 504, 525, 548, 574 § 2; 1899, 178 § 1, 387 § 4, 475. (See 1898, 264, 265, 336; 1899, 75.)

SECT. 12. Form and device of great seal established. St. 1885, 288; 1898, 519. (See Res. 1900, 61.)

SECT. 14. Special commissioner added. St. 1899, 178 § 1.

SECT. 15 repealed. Forms for returns to be furnished by commissioners of prisons. St. 1882, 226.

Chapter 16. — Of the Auditor, Treasurer and Matters of Finance.

The par of exchange established by U. S. Rev. St. § 3565 is adopted. St. 1882, 110.

Duties of auditor extended. St. 1882, 22; 1883, 258, 264; 1884, 179, 207, 255 § 30; 1885, 41, 313, 371 § 2, 385; 1886, 300; 1887, 87; 1890, 58; 1891, 384 § 2; 1893, 417 § 123; 1894, 279 § 9; 1896, 248, 258, 302; 1897, 501; 1898, 76 § 3, 334 § 5, 393 § 3, 466, 525 § 1, 538, 548 §§ 267, 270; 561 § 2; 1899, 372 § 9, 459, 475. (See 1893, 287; 1898, 378; 1899, 75.)

Provision made for auditing accounts of county officers, officers of inferior courts and trial justices, and for returns and payments by them. St. 1887, 438; 1888, 275; 1890, 216, 306, 380 § 3; 1893, 270; 1894, 183, 248. (See 1886, 169; 1890, 204, 215; 1898, 334 § 5.)

Provision made for an agent to prosecute claims of the Commonwealth against the United States. Res. 1883, 45.

Claims under St. 1862, 62; 1863, 254, to be filed with the auditor. St. 1882, 112. (See 1894, 67.)

Provision of this chapter extended to advances on account of nautical training school. St. 1893, 124.

SECT. 2. Salaries fixed: Auditor; St. 1889, 70. (See 1885, 195.) Clerks; St. 1891, 375; 1900, 217. Expert in printing; St. 1896, 248. (See 1885, 195; 1887, 30; 1888, 432; 1893, 287.) Messenger; St. 1899, 151. Clerical assistance; St. 1894, 397; 1898, 521. (See 1898, 367.)

SECT. 7. Time for auditor's report changed. St. 1884, 207.

SECT. 14. See St. 1890, 330.

SECT. 17. Clerks and clerical assistance provided for, and salaries of treasurer and clerks fixed. St. 1885, 263; 1886, 38, 334; 1889, 349; 1891, 233; 1893, 432; 1895, 276, 392; 1896, 326. (See 1882, 111; 1883, 164; 1885, 15; 1891, 310; 1894, 522 §§ 4, 83; 1898, 380, 473. Res. 1900, 3.) Messenger allowed. St. 1897, 256. Office hours regulated. St. 1886, 257; 1896, 522. (See 1898, 367; 1900, 470.)

Provisions in regard to trust deposits. St. 1891, 233; 1893, 224; 1894, 522 §§ 31, 79, 94. (See 1887, 214 § 94; 1890, 330.) Standard weights and measures. St. 1897, 443. Certain outstanding checks. St. 1900, 117.

Additional duties of treasurer. See St. 1893, 401 § 1, 465; 1896, 302, 498, 518; 1898, 378, 393, 473 § 2, 474 § 8, 548 § 267, 561, 562 §§ 95-102, 578 § 5; 1899, 417, 419; 1900, 371. (See 1900, 266.)

SECT. 18 superseded. St. 1890, 160. (See 1894, 484.)

SECTS. 19, 26, 60. Provision for management of surplus accumulations of sinking funds. St. 1891, 259. (See 1893, 424.) Certain moneys are to be paid into the school fund. St. 1890, 335. Res. 1894, 90.

Treasurer may receive from the United States, and pay over, sums for the soldiers' home. St. 1890, 373. (See 1889, 282.) And moneys from cities and towns in support of practice and model schools. St. 1896, 133. (See 1893, 407 § 9; 1894, 288 § 10, 483 § 4; 1898, 393 § 9.) As to Massachusetts volunteers' fund, see St. 1882, 112; 1894, 67. War loan sinking fund. St. 1900, 169.

SECT. 26. Annual financial estimates are to be made to the auditor. St. 1885, 41.

SECT. 28. Advances for small expenses and method of accounting therefor provided for. St. 1884, 179; 1887, 269 § 5, 438; 1888, 180, 322; 1890, 58; 1891, 54; 1893, 124; 1894, 245, 314; 1895, 10; 1899, 54. (See 1889, 53; 1892, 68; 1895, 34; 1899, 459. Res. 1899, 3.)

Certain unclaimed funds shall be paid to the treasurer. St. 1890, 330.

SECT. 42 repealed, and power of committees to cause hearings to be advertised limited. St. 1885, 371; 1897, 503. (See 1885, 24.)

SECT. 52. Payments of money from sales of public property regulated. St. 1884, 326. (See 1897, 121.)

SECT. 53. Suits for collateral legacy and succession tax are to be brought by the treasurer. St. 1891, 425 § 18. (See 1892, 379; 1893, 432; 1900, 371.)

SECT. 54. Advances on account of monthly salaries authorized. St. 1895, 34.

SECT. 55 extended to trust and safe deposit companies approved by the governor and council. St. 1891, 310.

SECT. 60. Additional investments are allowed. St. 1882, 130.

SECTS. 72, 73 repealed. St. 1887, 438 § 8. (See 1886, 169; 1888, 275; 1890, 216, 306, 380, 440 § 6; 1893, 270, 396 § 9.)

Chapter 17. — Of the Attorney-General and the District Attorneys.

SECTS. 1, 2. Duties and authority of the attorney-general regulated. St. 1892, 159; 1894, 127; 1895, 373; 1896, 490; 1899, 376; 1900, 373. (See 1886, 216; 1888, 425; 1898, 367, 436.) Provision for publication of opinions. Res. 1898, 95.

Salaries fixed. St. 1889, 402. (See 1896, 490 § 3.)

SECT. 3. Attorney-general shall appear in capital cases when the public interests require it. St. 1891, 379 § 10; 1893, 324. (See 1890, 374; 1891, 379 § 3; 1895, 372.)

SECT. 8 extended. St. 1892, 159; 1894, 127; 1895, 373.

SECT. 9 is revised. St. 1898, 436. (See 1886, 214; 1890, 374; 1895, 372.)

SECT. 10. Allowance for contingent expenses increased. St. 1890, 388.

SECTS. 13-15. Salaries fixed and assistants allowed: Eastern district; St. 1882, 156, 157; 1888, 289. Middle; 1889, 250. (See 1885, 168.) Assistant; 1888, 157; 1893, 138. Southern; 1892, 319. Assistant; 1897, 306. (See 1893, 437.) South-eastern; 1899, 470. (See 1888, 267.) Assistant; 1891, 113; 1894, 297. (See 1888, 267 § 2.) Suffolk; 1887, 160. First assistant; 1892, 233. Second assistant; 1898, 235. (See 1887, 160.) Clerk; 1889, 238. (See 1882, 245 § 2; 1887, 160.) Western; 1887, 97.

Salaries of all assistants are to be paid out of the treasury of the Commonwealth. St. 1895, 424.

SECT. 16. See St. 1888, 267 § 2; 1891, 113.

SECT. 19 is extended. St. 1893, 345. (See 1885, 379 § 7.)

Chapter 18. — Of Notaries Public and Commissioners to administer Oaths of Office and to take Acknowledgments of Deeds.

Form of acknowledgment and execution of deeds, etc., established. St. 1894, 253; 1895, 460. (See 1895, 237; 1898, 562.)

SECT. 1. Notaries have jurisdiction throughout and are appointed for the Commonwealth. St. 1891, 38. (See 1895, 379.)

Women may be appointed special commissioners to administer oaths, take acknowledgments and depositions and summon witnesses. St. 1883, 252; 1889, 197; 1896, 476; 1898, 187, 574. (See 1882, 139; 1899, 178.)

SECT. 14. The oath may be taken before a United States minister or consul. St. 1885, 31.

Chapter 19. — Of the Board of Harbor and Land Commissioners.

Provision for survey, improvement and repair of harbors and river banks. St. 1899, 463; 1900, 309.

The commissioners are authorized to remove wrecks and obstructions in tide-waters. St. 1883, 260. (See 1887, 98.)

United States government may occupy and fill flats on Gallop's island, and build structures over tide-waters. St. 1889, 27 § 2. And on Peddock's island. St. 1897, 240 § 3.

SECT. 1. Salaries fixed. St. 1898, 572. (See 1893, 298.) As to report of amounts due, see St. 1898, 366.

SECT. 2. Custody of archives of Maine lands transferred to the secretary of the Commonwealth. St. 1883, 99.

SECT. 3. Not to apply to certain province lands. St. 1893, 470 § 4. (See 1886, 144.) The commissioners have general care and supervision of the Connecticut river and of structures therein. St. 1885, 344; 1891, 266; 1898, 498. (See 1882, 274; 1883, 183.) Building in the river restricted. St. 1893, 301. Provision for industrial camp for convicts. St. 1898, 393.

They have the same charge of Commonwealth lands, not otherwise provided for, that they have of lands in tide-waters. St. 1886, 144. (See 1888, 318; 1891, 309 § 3; 1893, 470; 1897, 146, 392, 486; 1898, 278 § 3, 393.)

SECT. 7. Regulations are established for Gloucester harbor; St. 1885, 315; 1895, 106. Harbor lines are established for Boston; St. 1892, 358 § 2. East Boston; 1882, 48. South bay, Boston; 1898, 278; 1899, 469. (See 1891, 309.) Chelsea; 1887, 344. Gloucester; 1882, 103; 1883,

109; 1895, 106 § 2. Haverhill; 1883, 104. (See 1891, 344; 1893, 435; 1897, 479, 486.)

SECT. 8 *et seq.* The board has supervision over great ponds and may license structures therein. St. 1888, 318. (See 1886, 248.) A license is required to dam a navigable stream or outlet of a great pond for cranberry culture. St. 1892, 55. (See 1889, 383.)

SECTS. 8, 10, 11, 12 apply to the Connecticut river. St. 1885, 344 §§ 2, 3; 1891, 266.

SECTS. 10-13, 16 apply to great ponds. St. 1888, 318 § 5.

SECT. 16. See St. 1897, 146.

Chapter 20.—Of the State Board of Agriculture.

An agricultural experiment station is established, and membership and duties of board of control prescribed. St. 1882, 212; 1883, 105; 1885, 327; 1887, 31, 212; 1888, 333; 1889, 111; 1894, 143, 144, 189, 421, 557; 1896, 254, 297; 1897, 117. (See 1888, 296; 1898, 366, 367.)

A dairy bureau is established, to consist of three members of the board of agriculture. St. 1891, 412; 1892, 139; 1900, 368. (See 1891, 58; 1893, 440; 1894, 280; 1895, 214; 1896, 377; 1897, 349; 1900, 300, 359, 369.)

Provision is made for registration of pedigrees of horses. St. 1890, 334. And for punishing false registration or giving false pedigrees of horses, cattle, etc. St. 1887, 143; 1890, 334.

The agricultural college may receive moneys granted by the United States. St. 1889, 111. (See 1887, 212.)

Provision is made for a bounty for sugar from beets or sorghum cane. St. 1883, 189. And for bounties to chartered poultry associations. St. 1895, 351.

SECT. 1. Membership of board changed. St. 1894, 144. (See 1890, 274, 297.)

SECT. 2 amended. St. 1896, 254. Certain duties imposed. St. 1891, 210, 280; 1898, 393 § 8.

SECTS. 4-6. Assistant secretary provided for. St. 1891, 412 § 6. And a general agent; St. 1900, 368. Salaries fixed: Secretary; St. 1883, 184. Assistant; St. 1891, 412 § 6. Clerks; St. 1891, 300; 1893, 130; 1898, 459. (See 1887, 245; 1892, 143.)

Allowance for clerical services and for lectures increased. St. 1884, 66.

Allowance for certain incidental expenses. St. 1889, 45.

The board is authorized to collect and circulate information about abandoned farms. St. 1891, 280. (See Res. 1893, 46.)

Provision is made for extermination of insect pests. St. 1891, 210; 1893, 78; 1898, 544. (See 1897, 516.)

Chapter 21.—General Provisions relating to State Officers.

State boards and commissions shall report their organization to the secretary of the Commonwealth. St. 1898, 265. And amounts due. St. 1893, 366. (See 1896, 258; 1898, 433 § 7. Res. 1898, 3, 9.)

A civil service commission is established and appointments to service regulated. St. 1884, 320; 1887, 364; 1888, 253, 334; 1889, 177, 183, 351, 352; 1891, 140; 1893, 95, 253; 1894, 267; 1895, 376; 1896, 449, 494, 502, 517; 1897, 328; 1899, 376; 1900, 69, 133, 469, 470. (See

1887, 437; 1888, 41; 1889, 473; 1894, 519; 1895, 376, 501; 1896, 86, 256, 424; 1898, 366, 367, 447, 454. Res. 1892, 34.)

Certain officers shall not accept railroad tickets at less than usual rates. St. 1892, 59.

Provision for temporary absence in case of enlistment in the U. S. service. St. 1898, 447, 454. (See 1898, 428.)

Legislation recommended by State boards and commissions shall be reported to the secretary of the Commonwealth before the first Wednesday in January. St. 1893, 144.

Legal service required by officers or boards shall be performed by or under direction of the attorney-general. St. 1896, 490. (See 1899, 376.)

Standard record inks required. St. 1894, 378; 1898, 510; 1899, 353.

SECT. 1. Tenure of office of officers appointed by governor and council regulated. St. 1887, 364.

SECT. 7. Official bonds must be examined yearly, and, if insufficient, renewed. St. 1885, 32; 1893, 257.

SECT. 10. Treasurer's office hours regulated. St. 1886, 257; 1896, 522. Advancements on account of salaries authorized. St. 1895, 34. (See 1900, 399; Res. 1898, 3.)

SECT. 11. Payment of certain expenses regulated. St. 1899, 459.

Chapter 22. — Of Counties and County Commissioners.

Powers and duties of county commissioners are further defined. St. 1896, 384; 1897, 137; 1898, 264, 367, 548 §§ 250, 252 276; 1899, 196. (See 1890, 308; 1894, 497 § 1; 1898, 217, 365 § 3, 476, 496 §§ 22, 29; 1900, 180.) Provision for removal of county commissioners in certain cases. St. 1897, 224. For summary investigation of county expenditures. St. 1898, 432. Provision for county police. St. 1899, 196.

A penalty is provided for violation of duty by county officers. St. 1897, 130.

SECT. 1. Muskeget and Gravelly islands annexed to Nantucket. St. 1887, 88.

SECT. 5. Counties to provide places for holding district and police courts. St. 1893, 396 § 1; 1897, 245.

SECT. 13. When their clerk is absent, the commissioners shall appoint one of their number clerk *pro tempore*. St. 1890, 198. Proceedings regulated. *Pro tempore* clerk may be a woman and shall be sworn. St. 1896, 384.

SECT. 14. Compensation fixed: Barnstable; St. 1893, 276. Berkshire; 1890, 133. Bristol; 1893, 291. (See 1886, 251; 1889, 339.) Essex; 1892, 354. (See 1885, 277.) Franklin; 1888, 65. Hampden; 1889, 30. Hampshire; 1887, 211. Middlesex; 1889, 303. (See 1885, 277.) Norfolk; 1892, 399. (See 1885, 277; 1891, 80.) Plymouth; 1892, 298. (See 1886, 251.) Worcester; 1893, 288. (See 1886, 251; 1891, 79; 1892, 59; 1893, 275 § 1.) Transportation expenses are allowed. St. 1893, 273. (See 1892, 59.)

Special commissioners. St. 1894, 250; 1895, 112; 1898, 316. (See 1900, 198.)

SECT. 15. Meetings changed in Berkshire. St. 1888, 63.

SECT. 17. Certain formal proceedings are authorized, notwithstanding disqualification. St. 1893, 238.

SECT. 18 repealed. St. 1893, 275 § 2.

SECT. 19. Oaths of treasurers and registers of deeds are to be recorded. St. 1890, 308.

SECT. 20. First paragraph amended. St. 1897, 137 § 1. Commissioners may examine reservoirs and dams, and proceed under P. S., ch. 190 §§ 53-58. St. 1891, 315; 1893, 99.

Provision for additional accommodation for courts in Middlesex. St. 1893, 160; 1895, 492; 1900, 324. And in Worcester. St. 1896, 350. And in Norfolk. St. 1900, 319.

Provision made for certain expenses of inferior courts and justices. St. 1890, 440 § 11; 1891, 70, 325; 1893, 396 § 1. And for rearranging, indexing and recording certain records and dockets when worn, mutilated or indistinct. St. 1891, 225; 1892, 253.

Provision in regard to payment of county taxes. St. 1889, 253.

Orders drawn on county treasurers must be recorded, certified and accompanied by original vouchers. St. 1890, 206, 380; 1897, 128, 129.

Proposals for county loans must be advertised for. St. 1895, 111. (See 1895, 143, 482; 1896, 128; 1897, 153.)

SECT. 22 is revised. St. 1897, 137 § 2; 1900, 119. (See 1897, 128, 129, 130, 153.)

SECT. 23. See St. 1900, 299.

SECT. 26 is limited to regular commissioners and made applicable to issuing orders of notice. St. 1885, 91.

SECT. 28. See St. 1890, 423 § 112; 1891, 329 § 3; 1893, 417 § 124; 1898, 548 § 186.

SECT. 30 is amended. St. 1898, 217 § 3.

Chapter 23. — Of County Treasurers and County Finances.

SECT. 1 is revised. St. 1897, 128 § 1. (See 1890, 308; 1897, 153; 1898, 264, 317.)

SECT. 2. Salaries fixed: Berkshire; St. 1889, 58. Bristol; 1898, 322. (See 1889, 16; 1896, 176.) Essex; 1886, 133; 1896, 176. Hampden; 1898, 323. (See 1884, 112.) Hampshire; 1887, 159. Middlesex; 1896, 176; 1898, 294. (See 1887, 57.) Norfolk; 1898, 330. (See 1890, 143; 1892, 295.) Plymouth; 1889, 260. Worcester; 1886, 132; 1896, 176.

Allowance for clerical assistance: Bristol; St. 1892, 144; 1899, 153. Essex; 1889, 310; 1896, 147. Middlesex; 1889, 85. Norfolk; 1895, 133. Plymouth; 1897, 257. Worcester; 1893, 156; 1895, 113. And travelling expenses in certain counties. St. 1896, 176.

SECT. 6 *et seq.* County expenditures regulated. St. 1890, 206, 209, 296; 1897, 128, 129, 137, 153; 1898, 432, 477, 555. (See 1885, 345 § 6; 1887, 438; 1890, 216, 380; 1893, 270, 271; 1894, 497 § 5; 1895, 482; 1896, 172, 316, 357; 1898, 204, 206, 316, 317, 334 §§ 4, 5, 365 § 4.)

Proposals for county loans must be advertised for. St. 1895, 111. (See 1895, 143; 1896, 128; 1897, 153.)

Provisions for approval of plans for building or enlarging county prisons. St. 1897, 316.

No payments of fees to clerks of courts. St. 1890, 209.

SECT. 10 amended. Personal liability of treasurer in certain cases. St. 1897, 128 § 2.

SECTS. 11, 20, 30. Yearly reports of prison receipts and expenses provided for. St. 1891, 187; 1892, 430. (See 1898, 277, 334, 365.)

SECT. 18 is amended. St. 1899, 108.

SECT. 20 is amended. St. 1897, 130 § 4.

SECT. 22 is revised. St. 1897, 153. (See 1895, 143, 482, 493 § 2; 1896, 128, 172, 443.)

SECTS. 22-28. Treasurer's accounts and returns regulated. St. 1891, 187; 1892, 430; 1897, 129, 163; 1898, 277. (See 1887, 438; 1888, 275; 1890, 141, 380; 1895, 482; 1897, 128, 130; 1898, 206, 365 § 4; 1899, 107.)

SECT. 23 is repealed. St. 1897, 130 § 5.

SECT. 24 affected. St. 1889, 253; 1897, 153 § 8.

SECT. 26 is revised. St. 1897, 128 § 3.

SECT. 28 repealed. St. 1897, 153. (See 1890, 141, 380.)

SECT. 30. See St. 1891, 187; 1892, 430; 1898, 277.

SECT. 32 repealed. St. 1890, 380 § 2.

SECTS. 36-39 repealed. Provision for controller of county accounts. St. 1887, 438; 1888, 275; 1890, 380; 1893, 257, 270; 1894, 183; 1895, 143, 493 § 4; 1896, 128; 1897, 129, 153. (See 1886, 169; 1890, 204; 1894, 248; 1895, 242; 1897, 128; 1898, 334 § 5, 365, 432; 1900, 198.) And deputies. St. 1890, 306; 1895, 175; 1898, 477; 1900, 137. For examination of official bonds. St. 1893, 257; 1894, 183. And of county expenditures. St. 1898, 432.

Chapter 24. — Of Registers of Deeds.

Acts to provide for registering and confirming titles to lands. St. 1898, 562; 1899, 120, 125, 131; 1900, 116, 354. (See 1898, 514.)

Salaries are established for registers and assistant registers. The fees are to be paid to the county. St. 1895, 493. (See 1887, 438.) Provision for assistant registers and clerical assistance. St. 1896, 172.

Change in salary, assistant register, Middlesex. St. 1898, 333.

Standard record inks are required. St. 1894, 378; 1898, 510; 1899, 353.

Fixed office hours provided for. St. 1900, 327.

SECT. 2. Copies of certain records in registry of northern district to be deposited in registry of southern district. St. 1890, 158; 1891, 174. New registry established in Bristol. St. 1891, 234.

SECT. 5. And in Worcester. St. 1884, 40.

SECT. 6. Record shall be made of oath of registers. St. 1890, 308.

SECT. 9. Women may be assistant registers. St. 1885, 7.

SECT. 12. Requirement of residence in place of registry repealed. St. 1892, 121.

SECTS. 13-26. Provision for recording office copies of instruments affecting titles to lands lying in more than one county or registry district. St. 1889, 448. And for re-recording worn or indistinct records. St. 1892, 253. (See 1898, 514 § 2, 562 §§ 10, 20.) For printing indexes. St. 1900, 180.

SECT. 22. Indexes except in Suffolk, must show towns in which the lands lie. St. 1885, 29.

SECTS. 25, 26 amended. Registers substituted for commissioners. St. 1896, 443.

SECT. 29 repealed. St. 1895, 493 § 6.

SECTS. 30, 31, 32 repealed. St. 1896, 443. (See 1898, 148.)

Chapter 25. — Of Sheriffs.

SECT. 16. Sheriff may further arrest a person under arrest by a constable. St. 1896, 247. (See 1898, 326 §§ 2, 5; 1899, 412.)

SECT. 18. See St. 1893, 423 § 32.

SECT. 20 is extended to writs and processes in favor of a sheriff. St. 1885, 75.

SECT. 22. Salaries fixed: Barnstable; St. 1894, 153. Berkshire; 1887, 58. Bristol; 1897, 454. Essex; 1894, 415. (See 1887, 164.) Hampden; 1889, 38. Hampshire; 1891, 154. Middlesex; 1898, 324. (See 1888, 95.) Norfolk; 1900, 295. Suffolk; 1888, 228. Worcester; 1888, 244.

In Dukes and Nantucket fees are allowed. St. 1884, 209; 1886, 28.

SECTS. 24, 25. Sheriffs must deposit public moneys beyond what are required for immediate use. St. 1890, 215; 1893, 148, 270 § 2; 1896, 443 § 6. (See 1890, 296.)

Chapter 26. — Of Medical Examiners.

SECT. 2. New district made in Franklin county; St. 1884, 321; and in Plymouth; 1886, 74. Associate examiners provided for. St. 1898, 318.

SECT. 6 repealed. St. 1893, 257.

SECT. 9 *et seq.* Fees and duties of examiners regulated. St. 1885, 365 § 4, 379; 1887, 310; 1888, 306 § 2; 1890, 213; 1892, 286; 1893, 401 § 1; 1898, 318, 326 § 5; 1899, 417. (See 1896, 338; 1888, 437, 479; 1899, 207.)

When death is supposed to be due to violence, no embalming fluid shall be used without a permit signed by an examiner. St. 1892, 152.

SECT. 11. Territorial jurisdiction extended in certain cases. St. 1899, 207.

SECTS. 12-15. Provision for verbatim reports of evidence at inquests in cases of death by accident on a railroad or street railway. St. 1896, 302. (See 1888, 365; 1889, 154; 1896, 338; 1898, 204 § 2.)

SECTS. 13, 14, 25. Fees of witnesses, etc., at inquests regulated. St. 1883, 61; 1885, 379 § 2; 1890, 440 §§ 6, 8, 9; 1898, 204. (See 1888, 180.)

SECTS. 20, 24. Provision made for disposition of bodies and for account of expenses. St. 1887, 310; 1891, 185; 1898, 479.

SECT. 25. Special justices of municipal, police and district courts, with certain exceptions, are to have same fees as trial justices. St. 1885, 40. The record must state the fact which gives them jurisdiction. St. 1892, 268; 1893, 396 § 55. (See 1898, 204.)

Chapter 27. — Of Towns and Town Officers.

Town may be sued for labor for a contractor on public works. St. 1892, 270. (See 1896, 444.) Provision for part payments of money due by a town. St. 1899, 394 §§ 3, 4.

Deposits of town moneys regulated. St. 1893, 266.

And payment of moneys received from liquor licenses. St. 1897, 233; 1898, 361.

SECTS. 2-6. Provision for definition and preservation of town boundary lines. St. 1888, 336.

SECTS. 9, 10. Towns may lease public buildings, except school-houses, to grand army and veteran firemen's associations. St. 1885, 60; 1891, 218. Must provide a town seal. St. 1898, 389.

May take lands for public parks. St. 1882, 154; 1890, 240; 1893, 300. (See 1893, 75, 416; 1896, 199, 313; 1897, 379.) And for preservation of forest trees or preservation of water supply. St. 1882, 255; 1896, 190. And for purification and disposal of sewage. St. 1890, 124. And for public libraries. St. 1894, 145. (See 1890, 347; 1892, 255; 1897, 134; 1900, 299.) Taking of land regulated. St. 1899, 379; 1900, 437.

May provide by by-law for making all drains and sewers main drains and common sewers. St. 1895, 227. (See 1896, 251 § 2; 1897, 274.) For licensing plumbers. St. 1888, 105; 1893, 477; 1894, 454; 1895, 453. For regulating use of sewers. St. 1897, 116. And of privy vaults in certain cases. St. 1890, 74; 1899, 184. For removal of snow from sidewalks. St. 1898, 190.

May vote to charge interest on sewer and sidewalk assessments. St. 1896, 251.

May lay out, alter and widen highways and county bridges. St. 1891, 170. (See 1894, 497 § 1; 1898, 476.)

May authorize structures to avoid grade crossing of railroad and street railway. St. 1898, 404 § 4.

May lay out and maintain bicycle paths. St. 1898, 351; 1899, 474. (See 1894, 479; 1898, 121.)

May adopt act providing for extermination of insect pests. St. 1893, 78. (See 1899, 330 § 4.) And for making eight hours a day's labor for its employees. St. 1899, 344; 1900, 357.

May establish and maintain public play-grounds. St. 1893, 225. Certain towns may lease open spaces for play-grounds. St. 1893, 331. (See 1893, 300, 416.)

May regulate width of tires on vehicles owned in the town. St. 1895, 296.

May give the improvement of public grounds to corporations organized for the purpose. St. 1885, 157. (See 1893, 300 § 6, 331, 416; 1897, 254.)

May manufacture and distribute gas and electricity on certain conditions. St. 1891, 370; 1882, 259; 1893, 454; 1894, 182, 448, 533, 538; 1895, 350, 420; 1896, 356, 426, 480.

SECT. 10. Towns may contract for disposal of garbage, refuse and offal. St. 1889, 377.

May contract with hospitals for temporary care of the sick. St. 1890, 119. (See 1891, 90.) May not establish institutions for the insane. St. 1900, 451 § 1.

May employ counsel at hearings before legislative committees. St. 1889, 380.

May appropriate money to pay surety companies as sureties on bonds of town officials. St. 1897, 132.

May pay interest on public gifts in certain cases. St. 1895, 217.

May raise money to erect, dedicate and repair monuments to soldiers and sailors in national wars. St. 1884, 42; 1886, 76; 1896, 291. (See 1898, 525.) To firemen fatally injured in performance of their duties. St. 1896, 455. And to mark spots of historic interest. St. 1896, 477. Publish town records. St. 1899, 171.

May furnish State and military aid to soldiers and sailors. St. 1894, 279, 301; 1895, 361; 1898, 525, 529, 561, 570; 1899, 372, 374. (See 1889, 279, 301.) Shall support certain soldiers and sailors and their families. St. 1890, 447; 1893, 279; 1898, 356. (See 1888, 438; 1889, 298; 1893, 237.)

SECT. 10, 2d clause. May unite with other towns to employ a superintendent of schools. St. 1898, 466. (See 1888, 431; 1893, 200.) 3d clause. See St. 1891, 90; 1898, 425 § 5. 8th clause. See St. 1890, 447; 1893, 237, 279; 1894, 301. Last clause. See St. 1888, 304; 1889, 312; 1890, 347; 1892, 255; 1899, 379; 1900, 437.

Provision for furnishing towns with steam rollers for construction of macadamized roads, upon certain conditions. St. 1896, 513. (See 1894, 497; 1895, 347, 486; 1896, 345; 1898, 365, 404.)

Certain towns may water streets and assess cost thereof on the abutters. St. 1895, 186.

SECT. 11. Towns may appropriate money for certain anniversary celebrations. St. 1889, 21; 1892, 166. And July fourth. St. 1896, 152. For connecting estates with sewers. St. 1899, 319.

SECT. 12. May raise fifty cents per poll for planting, etc., of shade trees. St. 1885, 123 § 1; 1899, 330 § 2. (See 1890, 196; 1891, 49; 1892, 147; 1893, 78, 403, 423 § 26; 1896, 190; 1897, 254, 428.) May appoint a forester and provide for protection of trees and woodlands. St. 1897, 254, 428.

SECTS. 13, 14. An act relating to use of public baths and wash houses and authorizing towns to furnish instruction in swimming. St. 1898, 125.

SECT. 15. Selectmen may regulate use of carriages, etc., in streets, under P. S., ch. 28 § 25. St. 1885, 197. (See 1894, 479; 1895, 296; 1900, 334.) And itinerant musicians and coasting. St. 1892, 390. Towns may make by-laws providing for removal of snow from sidewalks. St. 1898, 190.

SECT. 16. See St. 1898, 168.

SECT. 27. Towns having a water supply may contribute with other towns to construct a sewerage system to protect the purity of such supply. St. 1888, 160.

SECTS. 28, 29. See St. 1884, 129; 1896, 269.

SECT. 34. No fee for detention and support shall be allowed unless it appears by officer's return that defendant was actually detained in the lock-up. St. 1890, 166.

SECT. 41 extended to public library buildings. St. 1894, 145. (See St. 1899, 379; 1900, 437.)

SECTS. 44-49 are extended to all persons and corporations, and to electric light and telephone wires. St. 1883, 221; 1887, 385 § 8; 1889, 398, 434; 1895, 350, 420. (See 1884, 302, 306; 1887, 382; 1896, 338.)

SECTS. 48, 129. Superior court given concurrent jurisdiction. St. 1891, 293.

SECT. 52 *et seq.* The laws relating to town meetings and election of town officers are revised. St. 1898, 548, Title XI.; 1900, 213. (See 1883, 229; 1884, 208 § 4, 299; 1885, 5, 261; 1886, 262, 264, 295; 1887, 249, 371; 1888, 221, 353; 1889, 98, 191; 1890, 351, 386, 419, 428; 1891, 10, 31, 32, 74, 155, 242, 270, 305, 336; 1892, 51, 124, 190, 224, 280, 351; 1893, 60, 87, 177, 304, 417, Title X., 423; 1894, 16, 17, 132; 1895, 89, 142, 285, 299, 507; 1896, 73, 251 § 2, 498; 1897, 91, 530; 1898, 83, 378, 379; 1899, 330.)

SECTS. 71, 72, 75, 76, 82, 85, 88, 92, 95, 96, 99-128 are repealed, and laws as to powers and duties of town officers revised. St. 1893, 423; 1894, 17. (See 1886, 295; 1888, 221; 1889, 98, 178; 1893, 60; 1896, 190; 1897, 254, 428; 1898, 208, 367, 453, 479, 548 § 331; 1899, 139, 235.)

A woman may be chosen overseer of the poor. St. 1886, 150. Or assistant town or city clerk. St. 1895, 142. (See 1891, 343; 1893, 60, 423 § 4.)

Provision for park commissioners. St. 1882, 154 § 1; 1890, 240; 1893, 300; 1896, 313; 1897, 379, 428; 1899, 253. For town auditors. St. 1893, 417 § 266, 423 § 20. (See 1886, 295; 1888, 221; 1889, 191; 1890, 254.) Sewer commissioners. St. 1893, 304, 417 § 266. (See 1893, 423 § 24.) Superintendents of streets. St. 1893, 423 § 25. (See 1889, 98, 178.) Highway surveyors. St. 1895, 374. (See 1893, 417 § 266, 423 § 21; 1894, 17.) Boards of health. St. 1894, 218, 473; 1895, 398, 506. (See 1885, 307; 1893, 460; 1897, 178, 428 § 2; 1899, 143, 184, 292, 319.) Commissioners of public burial grounds. St. 1890, 264. Assistant town clerks. St. 1893, 423 § 4. (See 1893, 60; 1895, 142.) Tree wardens. St. 1896, 190; 1899, 330. Inspectors of wires, 1899, 337 § 3. Inspectors of animals. St. 1899, 408 § 17. (See 1897, 254, 428 § 1.) Additional constables, St. 1900, 213. Employees may be allowed a half holiday once a week. St. 1898, 367.

Town officers shall demand and receive from their predecessors, under oath, their official records, papers, etc. St. 1897, 439 § 9. (See 1891, 340.)

SECT. 85. Police officers may be assigned to agricultural and horticultural exhibitions. St. 1892, 180. Provision for street railway police. St. 1895, 318. (See 1892, 413; 1896, 225, 338.)

Special officers for emergencies must be residents of the Commonwealth. St. 1892, 413.

SECT. 95 *et seq.* Town clerks shall give bonds to account for moneys received for dog licenses. St. 1888, 320. (See 1888, 308.) A town seal is required. St. 1898, 389; 1899, 256.

Shall make returns of votes on acceptance of acts by the town. St. 1883, 100. (See 1890, 175, 423 § 155; 1893, 417 § 203; 1894, 132; 1898, 453, 525 § 3, 548.)

Shall notify commissioners of prisons of appointment of certain police officers and constables. St. 1892, 290.

SECTS. 102-104. Form of oath modified. Provision to punish fraud in valuations. St. 1885, 355; 1893, 423 § 10.

SECTS. 105, 129 *et seq.* Provision for summary investigation of town expenditures. St. 1898, 432.

SECTS. 108, 109. See St. 1892, 370; 1893, 423 § 17.

SECT. 110. See St. 1897, 233; 1898, 361.

SECT. 112 *et seq.* Town clerks shall return names of constables to clerks of county courts within seven days after they qualify. St. 1889, 384.

SECT. 113. See St. 1899, 412.

SECT. 129 is revised. St. 1898, 490. (See 1891, 293.)

SECT. 130 applies to St. 1893, 423 § 41.

Chapter 28. — Of Cities.

General provision is made for the establishment of city governments. St. 1892, 377. (See 1894, 446; 1898, 554, 558.) For boards of license commissioners. St. 1894, 428; 1895, 379; 1896, 396. And for inspectors of animals. St. 1899, 408 § 17. Provisions as to the election of city officers by city councils. St. 1899, 129, 170.

Words "mayor and aldermen" defined. St. 1882, 164.

Provision made for acting mayor in case of death, absence, etc., of mayor. St. 1896, 380. (See 1882, 182.) For appointment of constables. St. 1898, 208.

Deposits of city moneys regulated. St. 1893, 266. And payment to State treasurer of part of moneys received from liquor licenses. St. 1897, 233; 1898, 361.

City may be sued for labor for a contractor on certain public works. St. 1892, 270. (See 1896, 444.) Provision for part payments of moneys due by a city. St. 1899, 394 §§ 3, 4.

City officers shall demand and receive from their predecessors, under oath, their official records, papers, etc. St. 1897, 439 § 9. (See 1891, 340.) A city seal is required. St. 1898, 389; 1899, 256.

Provision for summary investigation of municipal expenditures. St. 1898, 432. (See 1898, 490.)

City clerks shall notify secretary of the Commonwealth of vote on acts to take effect on acceptance. St. 1883, 100. (See 1898, 525 § 3; 1899, 235.)

Duties under election laws. St. 1898, 548. (See 1884, 299 § 4; 1886, 78; 1888, 437; 1890, 175, 423 §§ 71, 155; 1893, 417 §§ 105, 179, 465; 1895, 507 § 22; 1896, 244, 498, 518; 1897, 530 § 23; 1898, 378, 379, 453.)

They must return to clerks of courts names of constables elected or appointed. St. 1889, 384.

And must notify prison commissioners of appointment of certain police officers and constables. St. 1892, 290.

Cities may lay out lands for public parks. St. 1882, 154; 1890, 240; 1893, 300; 1899, 253. (See 1893, 75, 416; 1894, 497 § 1; 1896, 199; 1897, 379; 1898, 476; 1900, 299.) And for preservation of forests or of water supply. St. 1882, 255. May designate and preserve shade trees. St. 1890, 196. Provide for extermination of insect pests. St. 1893, 78. Establish and maintain public play-grounds. St. 1893, 225. Lease open spaces for play-grounds. St. 1893, 331. (See 1885, 157; 1893, 300 § 6.) Lay out and maintain bicycle paths. St. 1898, 351; 1899, 474. (See 1894, 479; 1898, 121.) Provision for textile schools. St. 1895, 475; 1899, 299.

May authorize structures to avoid grade crossing of railroad and street railway. St. 1898, 404 § 4. May adopt act making eight hours a day's labor for its employees. St. 1899, 344; 1900, 357.

May lease public buildings, except school-houses, to grand army or veteran firemen's associations. St. 1885, 60; 1891, 218.

May appropriate money for enforcement of civil service laws. St. 1887, 345. For certain anniversary celebrations. St. 1892, 166. For repairing or decorating graves or memorials of firemen killed in performance of duty. St. 1896, 455. To pay charge of insurance companies acting as surety on bonds of city officers. St. 1898, 45. For connecting estates with sewers. St. 1899, 319.

May indemnify police officers or firemen for injuries or expenses incurred while acting as such. St. 1888, 379; 1900, 220. And persons required to assist them. St. 1893, 186. May pension firemen. St. 1898, 267; 1900, 220, 246.

Provision for a half holiday a week to employees. St. 1898, 367.

May pay interest on public gifts in certain cases. St. 1895, 217.

May, by ordinance, require all fees, charges and commissions allowed

to officials to be paid into the treasury. St. 1888, 308. Regulate sale of prepared wood, slabs and edging. St. 1891, 136. And width of tires on vehicles owned in the city. St. 1895, 296. Provide for inspection of ice sold within the city. St. 1895, 338. (See 1886, 287.) For making all drains and sewers main drains and common sewers. St. 1895, 227. (See 1896, 251; 1897, 274.) For regulating use of sewers. St. 1897, 116. And for licensing plumbers. St. 1888, 105; 1893, 477; 1894, 454; 1895, 453.

May contract for the disposal of garbage, refuse, etc. St. 1889, 377.

May furnish military or State aid to soldiers and sailors. St. 1894, 279, 301; 1895, 361; 1899, 372, 374. (See 1889, 279, 301; 1898, 525, 529, 561, 570.) May contract with hospitals for temporary care of the sick. St. 1890, 119. (See 1891, 90.) Shall support certain soldiers and sailors and their families. St. 1890, 447; 1893, 279; 1898, 356. (See 1888, 438; 1889, 298; 1893, 237.) Shall provide for treatment of indigent persons suffering from contagious or infectious venereal diseases. St. 1895, 400. (See 1894, 511.) Except Boston, may not establish institutions for the insane. St. 1900, 451 § 1.

May expend money for watering streets and assess the whole or part of the expense on abutters. St. 1897, 419. (See 1890, 365; 1891, 179; 1899, 366.)

May take land for purification and disposal of sewage. St. 1890, 124. Taking of land for school-house, library, or engine house, etc., regulated. St. 1899, 379; 1900, 437.

May manufacture and distribute gas and electricity on certain conditions. St. 1891, 370; 1892, 259; 1893, 454; 1894, 182, 432, 448, 533, 538; 1895, 350, 420; 1896, 356, 426, 480.

Cities having a water supply may contribute with other cities and towns to construct a sewerage system to protect purity of supply. St. 1888, 160.

Tenure of police officers established in certain cities. St. 1890, 319.

Members of the police may be pensioned in cities containing not less than seventy-five thousand inhabitants. St. 1892, 378. (See 1892, 353; 1893, 51; 1898, 172.)

Provision for street railway police. St. 1895, 318. And a reserve police in certain cities. St. 1896, 314.

Police matrons and houses for detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Board of police for city of Boston to be appointed by the governor. St. 1885, 323; 1889, 419; 1894, 266; 1897, 320. (See 1890, 122, 440; 1896, 338; 1898, 172, 282, 366; 1900, 306.)

SECT. 3. See St. 1898, 168.

SECT. 6. Any item in an ordinance or vote involving an appropriation of money, or raising a tax, may be separately vetoed. St. 1885, 312 § 3.

SECT. 7. Mayor may not vote in board of aldermen or joint convention. St. 1882, 180.

SECT. 11. Police officers may be assigned to agricultural or horticultural exhibitions. St. 1892, 180.

SECTS. 14-16. New division of wards and voting precincts in cities provided for. St. 1898, 548 §§ 158-162. (See 1884, 125, 181 § 9, 299 § 3; 1885, 156; 1886, 78, 283; 1888, 437; 1893, 417 §§ 96-98; 1894, 224 § 9; 1896, 244, 498, 518.)

SECT. 19. See St. 1885, 159 § 3.

SECT. 23. No member of a city council is eligible by the city council

or either branch thereof to any office the salary of which is paid from the city treasury. St. 1886, 117.

SECT. 24. An act to restrict the height of buildings in cities. St. 1891, 355. (See St. 1892, 419 § 86; 1896, 313; 1897, 379, 413 § 6; 1898, 452.)

SECT. 25. See St. 1885, 197; 1892, 390; 1894, 479; 1895, 296; 1900, 334.

Chapter 29. — Of Municipal Indebtedness.

"Net indebtedness" is defined. St. 1883, 127.

SECT. 4. The limit of debts and rate of taxation fixed. St. 1885, 312. (See 1885, 178; 1892, 178; 1893, 23, 225 § 3, 247; 1898, 432, 434, 570; 1900, 399.)

Exceptions. St. 1886, 178, 254, 304; 1887, 312; 1888, 73, 144, 185, 229, 392; 1889, 68, 157, 172, 176, 283 § 4; 1890, 65, 120, 121, 135, 142, 203, 258, 271, 355, 357 § 10, 424, 444; 1891, 27, 150, 212, 230, 301, 316, 323, 324; 1892, 42, 45, 150, 153, 155, 247, 367; 1893, 37, 52, 101, 110, 128, 141, 167, 233, 245, 250, 269, 341, 449, 489 § 20; 1894, 85, 89, 92, 99, 177, 201, 208, 210, 212, 234, 244, 286, 293, 310, 323, 339, 340, 344, 346, 396, 403, 405; 1895, 36, 47, 74, 85, 98, 99, 130, 150, 151 § 5, 221, 241, 274, 325, 331, 333, 346, 357, 386, 395, 417, 433, 455; 1896, 103, 134, 142, 168, 181, 197, 200, 201, 207, 227, 233, 245, 271, 325, 392, 395, 419, 478, 479; 1897, 77 § 3, 82, 87, 93, 100, 101, 102, 108, 123, 127, 142, 159, 168, 191, 194, 211, 212, 218, 255, 258, 290, 293, 341, 393, 417, 469, 484, 504; 1898, 123, 127, 140, 176, 179, 198, 221, 263, 276, 289, 313, 314, 364, 383, 398, 403, 408, 419, 524; 1899, 66, 79, 82, 84, 106, 124, 126, 149, 177, 189, 208, 221, 224, 225, 250, 287, 300, 303, 305, 380, 443, 450, 473; 1900, 53, 58, 59, 62, 82, 105, 109, 110, 113, 146, 155, 156, 181, 190, 202, 207, 227, 243, 287, 288, 305, 364, 365, 370, 387 § 11.

Damages for alteration of grade crossings are excepted. St. 1892, 178.

SECT. 6. Temporary loans in anticipation of taxes are limited. St. 1885, 312 § 4; 1888, 372.

They must be payable within one year. St. 1891, 221. They shall not be considered in determining the limit of indebtedness. St. 1893, 23. Other temporary loans authorized. St. 1898, 526.

SECTs. 7, 8. Issuing bonds, notes or scrip for city or town debts is authorized. St. 1884, 129; 1892, 245 § 7; 1896, 269. (See 1889, 166; 1891, 321; 1896, 163; 1898, 471, 526, 570.)

SECT. 8 amended. Word "thirty" substituted for "twenty" in fourth line. St. 1892, 245 § 6. (See 1893, 225 § 3.)

Time for payment of "other debts" extended in certain cases. St. 1889, 166; 1891, 321; 1894, 221.

Provision for summary investigation of municipal expenditures. St. 1898, 432. (See 1898, 490.)

SECT. 9. Fixed annual appropriations may be made as a substitute for a sinking fund. St. 1882, 133.

SECT. 11 is extended. St. 1894, 146. Provision for reissue of bonds not due held in sinking funds for payment of bonds becoming due. St. 1895, 243.

Sinking funds for sewer debts regulated. St. 1892, 245 § 9.

SECT. 15. Management of surplus accumulations of State sinking funds regulated. St. 1891, 259.

Chapter 30. — Of Aid to Soldiers and Sailors and to their Families.

This chapter is repealed, and the law as to State and military aid revised and extended. St. 1890, 447; 1893, 279; 1894, 279, 301; 1895, 361; 1898, 326, 529, 561, 570; 1899, 372, 374, 471; 1900, 189. (See 1884, 34; 1885, 173, 204, 214; 1886, 39, 110; 1887, 122; 1888, 438; 1889, 279, 298, 301; 1892, 291; 1893, 237; 1897, 441. Res. 1892, 84.)

Certain army nurses may receive State aid. St. 1895, 361.

Certain exemptions from taxation are established. St. 1897, 148. (See 1894, 315; 1895, 202.)

Cities and towns must furnish relief to certain soldiers and sailors and their families. St. 1890, 447; 1893, 279; 1898, 356. (See 1888, 438; 1889, 298; 1893, 237; 1898, 529, 561, 570.)

Provision is made for burial of deceased indigent soldiers, sailors and marines, their widows and dependent mothers. St. 1896, 279; 1897, 164; 1900, 102. (See 1889, 395; 1892, 184; 1894, 62.)

Grand army posts may distribute aid to soldiers. St. 1885, 189.

Settlement of pension, bounty and back pay claims provided for. St. 1888, 396; 1891, 196; 1898, 525; 1899, 75. (See 1897, 179, 399.)

Appointment of State trustees for the soldiers' home provided for. St. 1889, 282. (See 1890, 373.)

SECT. 1. Salary of third commissioner fixed. St. 1894, 279 § 9. (See 1885, 214; 1889, 279 § 9; 1892, 291.)

SECTS. 10-12, 16, 17 repealed. St. 1889, 279 § 11. (See 1894, 279; 1899, 372.)

Chapter 31. — Of the Census, the Bureau of Statistics of Labor, and the Board of Supervisors of Statistics.

Decennial census provided for. St. 1894, 224; 1897, 71. (See 1884, 181; 1896, 8; 1898, 68. Res. 1895, 52.)

Special enumeration provided for in certain cases. St. 1892, 280; 1894, 334; 1896, 440; 1899, 462.

Certain useless papers may be burned. St. 1887, 43. (See Res. 1891, 25; 1895, 11.)

SECTS. 1-12 are revised. St. 1894, 224. (See 1884, 181.)

SECTS. 13-16. Additional statistics are required. St. 1886, 174; 1894, 238 § 5, 332, 334. (See 1884, 181; 1885, 156; 1888, 437 § 6; 1892, 280; 1896, 440; 1898, 402. Res. 1899, 31.)

The report of the board may be in parts. St. 1890, 97. (See 1894, 393 § 7; 1898, 366.)

Publication of a bulletin authorized. St. 1895, 290. Provision for clerical and contingent expenses. St. 1899, 115.

A second clerk is provided for. St. 1884, 4. And a registrar of labor. St. 1895, 376. (See 1884, 320.) And special agents. St. 1897, 430.

Clerks' salaries fixed. St. 1888, 115. (See 1884, 4.)

SECT. 17 is amended. St. 1886, 101 § 4; 1898, 433 § 24.

Chapter 32. — Of the Registry and Return of Births, Marriages and Deaths.

This chapter is revised. St. 1897, 437, 444. (See 1883, 158; 1887, 202; 1888, 63, 306; 1889, 208, 224, 288; 1890, 210, 402; 1892, 305,

314; 1893, 263; 1894, 206, 401, 402, 409; 1897, 424, 439; 1898, 389, 437, 458 § 24.)

Standard record inks are required. St. 1894, 378; 1898, 510; 1899, 353.

SECTS. 5, 6. See St. 1888, 306 § 2; 1897, 437.

SECT. 13. See St. 1900, 333.

Chapter 33.—Of Workhouses and Almshouses.

SECT. 1. See 1886, 319 § 3; 1890, 414 § 2; 1898, 433 § 28.

Chapter 35.—Of Fires, Fire Departments and Fire Districts.

Provision for allowance to families of firemen fatally injured at fires. St. 1893, 401. Cities may pension firemen. St. 1898, 267; 1900, 246. And indemnify them for expenses or damages. St. 1900, 220.

Office and duties of State fire marshal established. St. 1894, 444; 1895, 452; 1896, 303; 1898, 160. (See 1886, 354; 1887, 231; 1888, 199; 1889, 451; 1897, 118; 1898, 866.)

Taking of land for engine house restricted. St. 1899, 379; 1900, 437.

Fire engines and apparatus have right of way in streets. St. 1898, 162.

Pensions provided for in Boston. St. 1892, 347. (See 1880, 107; 1888, 174; 1896, 256; 1898, 246, 267; 1900, 246.) Persons five feet five inches in height may be appointed to Boston fire department. St. 1896, 424.

Assistance for the Massachusetts State firemen's association provided for. St. 1890, 450; 1891, 274; 1892, 177; 1894, 375. (See 1893, 401.)

SECT. 1. Forest firewards are provided for. St. 1886, 296 §§ 2, 3; 1897, 254.

SECTS. 10, 11 repealed. St. 1888, 199; 1889, 451; 1894, 444. (See 1886, 296 § 4, 354; 1887, 214 § 16; 1891, 229.)

SECT. 28. Additional apparatus required. St. 1888, 310; 1898, 165.

Board of fire engineers, or chief of fire department, shall investigate origin, etc., of fires. St. 1889, 451; 1891, 229. (See 1888, 199; 1899, 139 § 3.)

SECT. 29. Selectmen may remove engineers after notice and hearing. St. 1886, 113.

SECT. 35. Penalties prescribed for violations of rules. St. 1888, 220.

SECT. 40. Fire districts may incur debts for temporary loans in anticipation of taxes. St. 1896, 280.

SECT. 50. See St. 1898, 155, 548 § 418.

SECT. 51. Hydrant and water service added. St. 1895, 295.

Chapter 36.—Of Fences and Fence Viewers, Pounds and Field Drivers.

SECTS. 1-19. Fences and like structures over six feet in height, maliciously erected, etc., are declared nuisances. St. 1887, 348.

Barbed wire fences are restricted. St. 1884, 272.

Chapter 37.—Of the Public Records.

This chapter is revised. St. 1897, 439. (See 1885, 190; 1886, 207; 1887, 202; 1888, 307; 1890, 227, 392; 1891, 225, 281, 340; 1892, 333; 1894, 356, 402 § 1; 1898, 67, 453, 562 § 108.)

A commissioner of public records is established, his duties prescribed and salary fixed. St. 1892, 333; 1898, 67.

Provision for arranging and recording certain worn or indistinct records, etc. St. 1891, 225; 1892, 253.

Standard record inks are required. St. 1899, 354. (See 1894, 378; 1898, 510.)

SECTS. 14, 15. In Boston, city registrar shall perform duties of city or town clerk under these sections. St. 1892, 314 § 3.

Chapter 38.—Of Parishes and Religious Societies.

Provision is made for the incorporation and government of, and conveyance of property to churches. St. 1887, 404; 1888, 326; 1891, 265; 1895, 105. (See 1884, 78; 1892, 333 § 3; 1894, 126; 1898, 67, 453.)

And for sale or transfer of church or trust property by order of supreme judicial court. St. 1897, 462.

Incorporated religious societies may make by-laws. St. 1888, 326.

SECT. 8. Term of office of committee or assessors regulated. St. 1894, 126.

SECTS. 18, 19. Religious societies shall not assess taxes except upon their pews. St. 1887, 419. Members shall not be personally liable for parish debts. St. 1897, 241.

SECT. 21 is repealed. St. 1887, 419.

SECTS. 25, 29, 47 are amended. St. 1897, 496.

SECT. 43 is extended. St. 1886, 239.

Chapter 39.—Of Donations and Conveyances for Pious and Charitable Uses.

SECT. 1. Churches may appoint trustees who shall be a body corporate for the purposes of this section. St. 1884, 78. (See 1887, 404; 1891, 265.)

Real estate held by deacons may be conveyed to the church, if incorporated. St. 1887, 404 § 7.

Chapter 40.—Of Library Associations.

SECTS. 3, 13 are amended. St. 1897, 496. (See 1897, 505.)

SECT. 6. Allowance made to county law libraries. St. 1882, 246; 1885, 345 § 6; 1900, 304.

SECT. 9 *et seq.* The election, powers and duties of trustees of free public libraries and reading rooms are regulated. St. 1888, 304; 1889, 112.

A board of library commissioners is provided for. St. 1890, 347; 1897, 134. They are authorized to aid free libraries in certain towns. St. 1892, 255; 1900, 233. (See 1892, 422; 1898, 366.)

Chapter 41.—Of the Board of Education.

SECTS. 3, 7 are revised. St. 1898, 496 §§ 13, 14; 1899, 111; 1900, 187. (See 1896, 408; 1897, 498; 1898, 466 § 3.)

SECT. 8. Salary of the secretary of the board fixed. St. 1894, 176. (See 1885, 227; 1892, 287; 1893, 86; 1898, 366.) Clerical and messenger service provided for. St. 1895, 132.

No agent of the board shall be pecuniarily interested in publication or sale of school-books or supplies. St. 1896, 429. (See Res. 1897, 69.)

SECTS. 8, 11. See St. 1893, 86 § 2.

SECT. 12. The board has the management of the State normal school boarding-houses. St. 1891, 384. (See 1886, 298 § 9; 1894, 457; 1895, 258; 1896, 133; 1898, 433 § 26.) And the supervision of the pupils in the Perkins institution and Massachusetts school for the blind. St. 1885, 118. It may establish an educational museum. St. 1894, 230. Award certain scholarships. St. 1896, 310, 407; 1898, 493. Shall provide for examination and certification of teachers. St. 1894, 329. May hold summer schools for teachers. St. 1900, 219.

SECTS. 16, 17. The provisions for the instruction of deaf-mutes and deaf children are revised and extended. St. 1888, 239; 1889, 226. (See 1886, 241; 1887, 179.)

Chapter 42.—Of Teachers' Institutes and Associations.

SECT. 1. Twenty-five teachers in three contiguous towns may form an institute. St. 1896, 186.

Chapter 43.—Of the School Funds.

SECTS. 1, 2. Certain payments into the fund are provided for. St. 1890, 335; 1896, 408; 1897, 498. Res. 1894, 90.

SECT. 3 is repealed. St. 1884, 22. The distribution of the income is revised. St. 1891, 177; 1893, 272. (See 1884, 22; 1885, 227.)

Chapter 44.—Of the Public Schools.

No foreign flag or emblem may be displayed on a public school-house. St. 1895, 115. (See 1895, 181.)

Provision is made for a State nautical training school. St. 1891, 402; 1893, 124. (See Res. 1891, 4.) And for textile schools in certain cities. St. 1895, 475; 1899, 299.

Free scholarships in the Massachusetts institute of technology are provided for. Res. 1887, 103; 1895, 70. St. 1896, 310. And in Worcester polytechnic institute. St. 1896, 407. (See 1898, 493.)

School committees of cities and towns may provide free evening lectures. St. 1893, 208; 1900, 166. Provision for vacation schools. St. 1899, 246.

They shall furnish public schools with a national flag. St. 1895, 181. (See 1895, 115.)

Pretending in writing to hold a degree of a college or school, granting degrees without authority, and false assertions in writing of the approval by a college or professional school of a person, process or goods, are made criminal offences. St. 1893, 355.

SECTS. 1, 2, 7, 12, 13, 16 are revised. St. 1898, 496, 580; 1900, 175, 218. (See 1883, 174; 1884, 69; 1885, 332; 1886, 236; 1887, 433 § 4; 1891, 263, 426; 1892, 62; 1894, 231, 320, 436, 471; 1895, 94, 212; 1896, 382; 1900, 104.) Vivisection is forbidden and dissection restricted in public schools. St. 1894, 151.

Small towns may be assisted from income of school fund to pay salaries of teachers of exceptional ability. St. 1896, 408; 1897, 498.

The last session prior to Memorial day shall be devoted to exercises of a patriotic nature. St. 1890, 111.

Street and elevated railways required to transport children to and from school at half fares. St. 1900, 197.

SECT. 21. See St. 1893, 417 § 266; 1894, 16.

SECT. 26. Number of committee may be changed at a special meeting in towns in which ballots for town officers are furnished by the town. St. 1896, 319; 1898, 548.

SECT. 28. Diploma of a State normal school may be accepted in lieu of a personal examination of a teacher. St. 1891, 159.

Additional normal schools and model and practice schools in connection therewith are provided for. St. 1894, 457; 1895, 258. (See 1896, 33; 1900, 219.) Provision for examination and certification of teachers by the board of education. St. 1894, 329.

Teachers, after a year's service, may be appointed to serve during the pleasure of the committee. St. 1886, 313.

SECTS. 35-40 are repealed. Text-books, supplies, etc., are furnished free. St. 1884, 103; 1885, 161. (See 1884, 69; 1885, 67.)

SECTS. 41-46. The district system is abolished. St. 1882, 219. (See 1884, 122.)

SECT. 43. See St. 1898, 466 § 5. Superintendent must be employed after July 1, 1902. St. 1900, 248.

SECTS. 44, 45. Provision to aid small towns to unite to employ a superintendent. St. 1888, 431; 1893, 200; 1894, 58; 1898, 466. (See 1890, 379; 1891, 272; 1892, 301, 344, 360; 1896, 408; 1897, 498.)

SECT. 46. Provision for schools in Boston. St. 1889, 297; 1895, 408; 1897, 202, 442; 1898, 400; 1899, 362; 1900, 235, 237. (See 1892, 419 § 24; 1898, 228, 284, 340.)

SECT. 48. Taking land regulated. St. 1899, 379; 1900, 437.

Chapter 45.—Of School Districts.

The school district system is abolished. St. 1882, 219. But the right to sue or defend for districts is reserved. St. 1884, 122.

Chapter 46.—Of School Registers and Returns.

SECTS. 1-7, 10-13, 15 are repealed and revised. St. 1898, 496 §§ 13-20, 36. (See 1888, 348 § 7; 1891, 99; 1896, 179.)

Chapter 47.—Of the Attendance of Children in Schools.

This chapter is repealed, and the laws relating to school attendance and truancy are revised. St. 1898, 496, 580; 1899, 201. (See 1883, 174 § 3, 245; 1885, 71; 1887, 433; 1888, 348; 1889, 135, 249, 422, 464; 1890, 48, 299, 309, 384; 1891, 317, 361, 426; 1892, 62; 1893, 253; 1894, 188, 498, 508 §§ 13, 14; 1896, 360; 1897, 236; 1898, 315, 494; 1899, 193.)

Transportation of school children. See St. 1900, 197.

SECT. 9. Additional provisions to prevent introduction of contagious diseases into schools. St. 1884, 64; 1890, 102; 1898, 496 § 11. (See 1884, 98; 1885, 198; 1894, 498 § 9, 515.)

Exemption from vaccination allowed in certain cases. St. 1894, 515 § 2; 1898, 496 § 11.

Chapter 48.—Of the Employment of Children and Regulations respecting Them.

The laws relating to the employment of children are revised. St. 1894, 508; 1896, 288; 1898, 394, 494, 505; 1899, 413; 1900, 378. (See 1882, 150; 1883, 157, 224; 1884, 275; 1885, 222, 305; 1885, 87; 1887, 103,

121, 173, 215, 218, 280, 330, 399, 422, 433; 1888, 149, 305, 348; 1889, 135, 229, 291; 1890, 48, 90, 183, 299; 1891, 239, 317, 350; 1892, 83, 210, 296, 330, 352, 357, 410; 1894, 498; 1896, 382; 1897, 236; 1898, 496; 1900, 254.)

Deductions in wages are restricted. St. 1898, 505.

Children under ten shall not be permitted to enter street cars to sell newspapers, etc. St. 1889, 229.

SECT. 7 repealed. St. 1887, 433 § 5.

SECTS. 8, 9 are repealed. St. 1894, 508 § 80. (See 1885, 305.)

Admission of children under thirteen to certain shows and places of amusement is restricted. St. 1887, 446.

Illegal peddling and begging by children are prohibited. St. 1887, 422. (See 1885, 305; 1892, 331.)

SECT. 10 repealed. St. 1898, 496 § 36.

SECTS. 11-21 are repealed and the truant laws revised. St. 1898, 496. (See 1886, 101 § 4; 1889, 249; 1890, 309; 1891, 426; 1892, 62; 1893, 253, 270; 1894, 498, 508 §§ 12, 14; 1896, 360; 1897, 236; 1898, 315, 433 § 28, 443.)

SECTS. 18-27. Further provisions made for care, education and protection of neglected, destitute and abandoned children. St. 1882, 181, 270; 1883, 232; 1885, 176; 1886, 330; 1887, 401; 1888, 248; 1889, 230, 309; 1891, 194; 1892, 318; 1893, 197, 217, 252, 262; 1896, 288, 382; 1898, 498 § 35; 1899, 276; 1900, 254, 397. (See 1884, 210; 1886, 101; 1887, 441; 1889, 416; 1894, 508; 1895, 310; 1898, 315, 433, 483, 496, 580.)

SECT. 19 is amended. St. 1883, 245.

SECT. 22 *et seq.* Provisions regulating infant boarding houses and adoptions. St. 1889, 309, 416; 1891, 194; 1892, 318; 1895, 310. (See 1882, 270 § 3; 1898, 433 § 28, 443; 1900, 254.)

Chapter 49. — Of the Laying Out and Discontinuance of Ways, and of Damages Occasioned by the Taking of Land for Public Use.

A commission for improvement of public roads and construction of State highways is provided for. St. 1893, 476; 1894, 497; 1896, 345, 541; 1897, 340, 355; 1898, 476, 528, 539; 1900, 253, 432, 474, 475. (See 1892, 338; 1894, 393 § 7; 1895, 347, 486; 1896, 481, 513; 1897, 340; 1898, 365, 393 § 8, 404 § 4; 1899, 396, 458; 1900, 299, 442.) They may alter locations, etc. St. 1900, 475. They may furnish steam rollers to towns for construction of roads on certain conditions. St. 1896, 513; 1897, 355 § 3. Prisoners may prepare material for road making. St. 1898, 365. (See 1898, 393.)

A metropolitan park commission is established. St. 1893, 407; 1895, 450; 1896, 465; 1899, 400, 406, 419. They are authorized to lay out roadways and boulevards connected with parks. St. 1894, 288; 1898, 473. (See 1894, 483, 509; 1896, 472; 1898, 455, 463, 530; 1899, 378; 1900, 242, 340, 393, 413.) And to join with a city or town to lay out, widen, etc., streets in certain cases. St. 1896, 465. (See 1894, 393, 483, 509; 1895, 272, 283, 305; 1896, 199, 466, 550; 1897, 121; 1898, 166, 366, 455.) And to construct a dam across Charles river. St. 1898, 531.

Park commissioners are given certain powers in regard to highways connected with public parks. St. 1893, 300; 1896, 199, 313; 1897, 379. (See 1893, 416; 1894, 479; 1898, 121; 1900, 342.)

An act relative to the taking of land by cities and towns. St. 1899, 379; 1900, 437.

Description and plan of lands taken for highway must be filed in registry of deeds. St. 1898, 134.

SECTS. 1, 10, 13. Towns may alter, etc., but not discontinue, county highways or bridges within their limits. St. 1891, 170. (See 1893, 65, 380; 1895, 227; 1898, 476.)

Land may be taken for public parks. St. 1882, 154; 1890, 240. (See 1893, 225, 300, 331; 1896, 199.) For laying out bicycle paths. St. 1898, 351; 1899, 474.

For the cultivation or preservation of trees. St. 1882, 255. (See 1885, 123, 157; 1886, 296; 1890, 196; 1891, 49; 1892, 147; 1896, 190; 1897, 254, 428.)

And for the purification and disposal of sewage. St. 1890, 124.

Sewer and water pipes may be laid in ways before taking possession for construction. St. 1893, 65.

Spaces may be reserved in ways for certain special uses. St. 1894, 324.

SECTS. 6, 14 *et seq.* County commissioners may lay out, etc., highways under the betterment law, where accepted. St. 1887, 124. (See 1884, 226; 1898, 134; 1900, 299.)

They may determine locations of public landing places. St. 1882, 109.

SECT. 18. New provision made in regard to payment of damages. St. 1883, 253.

SECTS. 32, 33. See St. 1900, 299.

SECTS. 33, 79, 86, 91 revised and extended. Time for application for a jury more particularly defined. St. 1892, 415.

SECT. 47. Officers' *per diem* for attendance fixed. St. 1882, 96.

SECTS. 84-86 are revised and methods of locating, laying out and constructing ways in Boston regulated. St. 1888, 397; 1891, 323; 1892, 401; 415 § 3, 418; 1895, 494; 1896, 237; 1897, 166, 167, 319, 394; 1898, 210, 252, 298, 566; 1899, 433, 443, 450; 1900, 478. (See 1893, 339, 478; 1894, 439; 1895, 334, 449 § 23; 1896, 204, 209, 492; 1897, 202 § 2, 500 § 9; 1898, 340, 540.) Act relative to alleys in the city of Boston. St. 1898, 298.

SECT. 88. Provision for extending limit of time by agreement. St. 1893, 82.

SECT. 91. Application for jury may be brought within the time specified in section 33, notwithstanding the charter. St. 1892, 415 § 4.

SECT. 99 amended. St. 1899, 85.

SECT. 102. See St. 1898, 562 §§ 90, 91.

SECTS. 103-106. See St. 1900, 299.

SECT. 105. Petition for damages for land taken by a town in Dukes or Nantucket may be brought in Bristol county. St. 1887, 50. (See 1885, 384 § 1.)

SECT. 107. Auditors may be appointed in the discretion of the court. St. 1894, 175. (See St. 1899, 458.)

Chapter 50. — Of Sewers, Drains and Sidewalks.

A metropolitan system of sewerage is provided for. St. 1889, 439; 1895, 342, 406; 1897, 80, 81, 83, 88, 502. (See 1890, 94, 270; 1891, 192; 1892, 68, 251; 1894, 307; 1895, 294; 1898, 366, 424; 1899, 122; 1900, 242.)

SECT. 1. Cities and towns may take land for the purification and disposal of sewage. St. 1890, 124. (See 1888, 160.)

SECT. 2. Description and plan of lands taken must be filed in registry of deeds. St. 1898, 134.

SECTS. 1, 3-8. Construction of, and assessments for, sewers regulated. St. 1891, 97; 1892, 245; 1893, 65, 380; 1895, 117, 127, 227; 1896, 236, 251; 1897, 138, 151, 274. In Boston. St. 1892, 402; 1894, 227, 256; 1895, 297, 494; 1896, 237, 359; 1897, 426; 1898, 257; 1899, 450; 1900, 126, 478. (See 1886, 210; 1889, 456; 1890, 346; 1891, 323; 1892, 418; 1893, 304, 417 § 266; 1896, 238, 243; 1900, 242, 299.)

Provision made for connection with public sewers. St. 1889, 108; 1890, 132; 1899, 319; 1900, 112. (See 1892, 245 § 4.) And repair of private drains in streets. St. 1893, 312. Cities and towns may provide for making all drains and sewers main drains and common sewers. St. 1895, 227. And for regulating use of sewers. St. 1897, 116.

SECTS. 5, 7. Land sold may be redeemed as if sold for taxes. St. 1883, 145. The lien shall continue two years. St. 1886, 210; 1896, 236. (See 1884, 237; 1891, 97; 1892, 245 § 1; 1895, 117; 1897, 138.) Real estate assessed, defined. St. 1894, 528.

SECT. 20. Construction of and assessments for sidewalks in cities regulated. St. 1895, 444; 1896, 251. (See 1891, 323; 1892, 401, 418; 1893, 437; 1894, 82; 1895, 186, 297, 494; 1896, 158, 237, 345; 1897, 419; 1898, 566.)

SECT. 21. Barbed wire fences are restricted. St. 1884, 272.

SECT. 25. In cities which accept the act assessments may be apportioned into not more than ten annual instalments. St. 1891, 97; 1893, 380. (See 1892, 245 § 8; 1896, 158; 1897, 274.)

Chapter 51. — Of Betterments and other Assessments on Account of the Cost of Public Improvements.

This chapter applies to alterations of ways at railroad crossings. St. 1884, 280. (See 1898, 578 §§ 19-21.) And to laying out public parks. St. 1882, 154 § 7. (See 1893, 300 § 2.)

The authorities may agree to assume betterments if land owners will release damages. St. 1884, 226. (See 1898, 578 § 21.)

SECTS. 1-8. Extended to ways laid out by Metropolitan Park Commission. St. 1894, 288 § 2; 1898, 473.

SECTS. 1-9. Extended to alterations, etc., of highways by towns. St. 1891, 170 § 3. (See 1898, 351.)

Provision for apportionment of assessments. St. 1896, 158.

Assessments bear interest after thirty days and the lien continues for one year after determination of any suit to test their validity. St. 1884, 237.

SECT. 11. Notice of assessment of betterment must be given within three months to party to be charged. St. 1885, 299.

County commissioners may lay out, etc., highways under the betterment act, where accepted. St. 1887, 124. (See 1884, 226.)

SECTS. 11-15. See St. 1898, 562 § 78.

Chapter 52. — Of the Repair of Ways and Bridges.

SECT. 1 extended. St. 1896, 345 § 2. (See 1893, 476; 1894, 497 §§ 6, 7; 1898, 404 § 4.) As to repairs of State highways. See St. 1893, 476 § 10; 1896, 345 § 2, 513; 1897, 340; 1898, 539; 1900, 432.

SECT. 10, as to trimming, etc., of trees, is revised. St. 1885, 123 § 2.

(See 1890, 196; 1891, 49; 1892, 147; 1893, 78, 403; 1896, 190; 1897, 254, 428.)

SECTS. 17, 18. Cities and towns not liable for injuries resulting from a defect in a highway consisting of snow or ice only. St. 1896, 540. (See 1893, 476 § 13; 1894, 497 §§ 6, 7; 1898, 298 §§ 2, 3, 455.)

SECT. 19. If injury is caused by a defect consisting in part of snow or ice, notice must be given within ten days. St. 1894, 422. (See 1896, 544 § 2.) Notice shall not be invalid for unintentional inaccuracy if party entitled to notice was not misled. St. 1882, 36; 1888, 114. Provision for correcting defects in notice. St. 1894, 389. (See 1894, 422; 1898, 578 § 11.) The Commonwealth may be sued for injuries on State highways. St. 1900, 253.

Words "in the superior court" stricken out. St. 1888, 114. (See 1882, 36.) Liability of street railway companies. St. 1898, 578 §§ 11, 12.

Chapter 53. — Of the Regulations and By-laws respecting Ways and Bridges.

An act relative to the use of streets by certain corporations. St. 1899, 453.

The use of bicycles, etc., is regulated. St. 1894, 479; 1898, 121. (See 1898, 351; 1899, 474; 1900, 312.)

Canals and waterways adjudged to be dangerous to public travel must be fenced. St. 1887, 393.

SECT. 1 revised. Guide posts shall be erected at forks and intersections of ways leading to other towns. St. 1887, 162. Provision to restrict advertising signs in streets of Boston. St. 1895, 352; 1897, 413 § 6.

SECTS. 11-14. The leading or driving of a bear or other dangerous wild animal upon the highway is forbidden. St. 1894, 105.

SECT. 13 *et seq.* Certain rights of way in the streets, etc., are given to the police in Boston. St. 1889, 57. (See 1893, 367 § 120.) And to fire departments. St. 1898, 162.

Provision for regulation of width of tires on vehicles. St. 1895, 296; 1900, 334.

Selectmen in towns may regulate vehicles in streets. St. 1885, 197. (See 1894, 479; 1898, 121.) And street musicians and coasting. St. 1892, 390. (See 1894, 479.)

SECT. 16 amended. St. 1892, 390.

SECT. 18. County commissioners may regulate the speed at which persons may ride or drive over certain bridges. St. 1888, 313. (See 1882, 108.)

SECT. 28 *et seq.* See St. 1889, 246; 1890, 118.

Chapter 54. — Of the Boundaries of Highways and other Public Places and Encroachments thereon.

Provision for establishment of a building line on public ways. St. 1893, 462; 1896, 313; 1897, 379.

Erection and maintenance of posts, wires and structures in highways regulated. St. 1884, 302, 306; 1889, 398, 434; 1895, 350, 420; 1899, 320, 337. (See 1883, 221; 1893, 476 §§ 12, 14; 1894, 497 § 2.) And advertising signs on posts in Boston. St. 1895, 352; 1897, 413 § 6.

Barbed wire fences are restricted. St. 1884, 272.

SECTs. 6-11. Further provisions for planting, cutting, trimming, and preservation of shade trees. St. 1885, 123, 157; 1890, 196; 1891, 49; 1892, 147; 1893, 403; 1896, 190; 1897, 254, 428; 1899, 330. (See Res. 1886, 32. St. 1886, 296; 1893, 78; 1897, 143.)

SECT. 8 is amended. St. 1899, 436.

SECTs. 9 and 12 are repealed. St. 1885, 123 § 3.

SECT. 16. Certain exceptions made. St. 1889, 129; 1893, 75.

Chapter 56.—Of the Inspection and Sale of Butter, Cheese, Lard, Fish, Hops, Leather, and Pot and Pearl Ashes.

A uniform standard is established for certain weights and measures. St. 1894, 198.

Provision made for a State dairy bureau and protection of dairy products. St. 1891, 412; 1892, 139; 1900, 368. (See 1891, 58; 1894, 280; 1895, 214; 1896, 377; 1897, 349; 1899, 169, 223.)

SECTs. 3-21. Sale of imitations of butter regulated. St. 1886, 317; 1891, 58, 412; 1894, 280; 1896, 377. (See 1884, 310; 1885, 352; 1886, 318.) And of "renovated butter." St. 1899, 340.

Sale of adulterated lard regulated. St. 1887, 449.

SECT. 20. Powers and duties of inspectors increased. St. 1884, 310 § 2; 1885, 352 § 5; 1891, 58 § 2. (See 1882, 263.)

SECT. 22 *et seq.* Public weighers of salt-water fish provided for. St. 1888, 163.

Chapter 57.—Of the Inspection and Sale of Milk.

This chapter is not repealed or amended by St. 1882, 263. St. 1884, 289 § 4.

Municipal, district and police courts and trial justices are given jurisdiction under this chapter. St. 1885, 149; 1897, 349. (See 1893, 396 § 40.)

Provision is made for a State dairy bureau and protection of dairy products. St. 1891, 58, 412; 1892, 139; 1899, 169, 223. (See 1884, 310; 1885, 352; 1886, 317, 318; 1889, 326; 1893, 440; 1894, 280; 1895, 214; 1896, 377; 1897, 349.) For a general agent. St. 1900, 368. Against adulteration of milk. St. 1886, 318; 1889, 326; 1896, 398; 1899, 223; 1900, 300. (See 1894, 412; 1899, 169.) Transportation of milk regulated. St. 1893, 210. The sale of condensed milk is regulated. St. 1896, 264.

SECT. 2 is revised. St. 1886, 318 § 1. (See 1891, 58 § 3, 412 § 10; 1896, 398.)

SECT. 5 is revised. St. 1886, 318 § 2; 1900, 300 § 1. (See 1896, 398 § 2.)

SECT. 6 is revised. St. 1900, 300 § 2.

Acts to protect owners of cans and other receptacles used in sale of milk, cream, etc. St. 1893, 440; 1900, 359, 369. (See 1893, 443; 1894, 285; 1895, 462; 1899, 259.)

SECT. 8. It is made an offence to obstruct an inspector. St. 1884, 310 § 5. And to counterfeit his seal or tamper with samples. St. 1886, 318 § 4; 1896, 398 § 3. And to wilfully deface and misuse milk cans. St. 1885, 133.

SECT. 9 is amended. St. 1885, 352 § 6; 1886, 318 § 2; 1896, 398 § 2; 1899, 223 § 1.

SECT. 12 is repealed. St. 1885, 145.

Chapter 58. — Of the Inspection and Sale of Provisions and Animals intended for Slaughter.

This chapter is repealed and the laws relating to contagious diseases among domestic animals are revised and codified. St. 1894, 491; 1895, 476, 496; 1897, 165, 178; 1899, 292, 408. (See 1884, 232; 1885, 148, 378; 1887, 250, 252; 1892, 195, 432; 1893, 306; 1895, 449 § 19; 1896, 250, 276; 1897, 499; 1898, 366, 451; 1900, 151 § 2.)

Further provisions to prevent adulteration of food and drugs. St. 1882, 263; 1884, 289; 1886, 171; 1897, 344. (See 1883, 268; 1896, 397.)

The sale of dressed poultry is regulated. St. 1887, 94. (See 1883, 230.)

Chapter 59. — Of the Inspection and Sale of Certain Oils.

SECTS. 6, 7. Provision is made to regulate preparation, storage, inspection and sale of certain unsafe oils, and kerosene and petroleum products, and the erection of buildings therefor. St. 1885, 98, 122; 1894, 399. (See 1882, 250; 1892, 419 § 111; 1896, 520.)

Chapter 60. — Of the Inspection and Sale of Various Articles.

A uniform standard is established for certain weights and measures. St. 1894, 198; 1895, 28. (See 1897, 443, 517.)

An act to regulate bakeries. St. 1896, 418.

An act to regulate sale of ice. St. 1900, 448.

Provision for inspection of ice sold in cities. St. 1895, 338. And of concentrated commercial feed stuffs. St. 1897, 117.

Dealers in ice must provide each wagon with scales and weigh ice when requested. St. 1890, 276. (See 1899, 260.)

SECTS. 11-16 are repealed and new provisions made. St. 1896, 297. (See 1888, 296.)

SECT. 17 is repealed. St. 1883, 29.

SECT. 18. An act to regulate size of berry baskets. St. 1900, 339.

SECT. 20. A standard measure for cranberries is established. St. 1884, 161. (See 1883, 225; 1890, 426.)

SECTS. 21, 22 are revised and other articles added. St. 1888, 414; 1894, 198 § 6; 1895, 28. (See 1890, 465.)

SECTS. 54, 55 are repealed. St. 1894, 111.

SECTS. 56, 57 are revised and sections 58-60 repealed. Wire nails are included. Penalties and forfeitures regulated. St. 1892, 63.

SECTS. 61, 67. See St. 1894, 198.

SECTS. 69-71. Provisions against adulteration of vinegar and for compensation of inspectors. St. 1883, 257; 1884, 163, 307; 1885, 150. (See 1895, 449 § 19; 1896, 250.)

SECTS. 72-78. Cities may regulate sale by the load of prepared wood, slabs and edgings. St. 1891, 136. Measures may be licensed by an adjoining town. St. 1894, 83 § 2.

SECTS. 79-82. Sale of coal by measure regulated, and standard ton established. St. 1894, 429. (See 1883, 218, 225; 1884, 70.)

Chapter 61. — Of the Inspection of Gas and Gas Meters.

A board of gas and electric light commissioners is established and their powers and duties prescribed. St. 1885, 314; 1886, 346; 1887, 382, 385;

1888, 350; 1889, 373; 1891, 370; 1892, 259, 263; 1894, 327; 1895, 463; 1896, 356, 426, 473; 1898, 499; 1899, 365, 465. (See 1888, 428; 1891, 351; 1894, 503; 1898, 366.)

Clerk's salary fixed. St. 1891, 351; 1894, 503.

The manufacture, sale and inspection of gas and electric light regulated. St. 1885, 240, 314; 1886, 346; 1887, 382, 385; 1888, 350, 428; 1889, 169; 1890, 252; 1891, 370; 1892, 67, 259, 263, 274; 1893, 454; 1894, 182, 299, 316, 327, 432, 448, 450, 503, 533, 538; 1895, 228, 330, 350, 420; 1896, 356, 480; 1897, 416. (See 1883, 221; 1886, 250; 1887, 391 § 2; 1890, 371, 404; 1891, 189; 1894, 476, 501; 1896, 426, 473, 544; 1898, 268.)

Provisions for security against accidents from electric wires. St. 1890, 404; 1895, 228; 1898, 268; 1899, 320, 337. (See 1897, 416.)

Report of accidents required. St. 1896, 338.

SECT. 1 amended. Tenure of office regulated. St. 1889, 169. Two assistants. St. 1900, 459 § 1.

SECTS. 2, 3 amended. St. 1900, 459 §§ 2, 3.

SECTS. 2, 6 amended. St. 1899, 465.

SECTS. 7, 9 revised. St. 1900, 459 §§ 4, 5.

SECTS. 13, 14 do not apply to gas for heating, cooking, chemical and mechanical purposes. St. 1885, 240.

SECT. 14 amended. St. 1892, 67. (See 1886, 250; 1890, 252.)

SECT. 16. Refusal to furnish gas to occupant of a building, because of non-payment of a gas bill by a previous occupant, is unlawful. St. 1894, 299.

SECTS. 16-18 extended to electric lighting. St. 1894, 316; 1895, 330.

Chapter 63.—Of the Survey and Sale of Lumber, Ornamental Wood and Ship Timber.

SECTS. 1-5, 16, 19 are revised. St. 1890, 159.

SECTS. 6, 7. Surveyors may be licensed to survey lumber in an adjoining town. St. 1894, 83.

Chapter 65.—Of Weights and Measures.

A uniform standard of certain weights and measures is established. St. 1894, 198; 1895, 28; 1897, 443, 517.

The weights, measures and balances to be kept by counties, cities and towns are defined and inspection provided for. St. 1890, 426.

The sale of coal by measure regulated and standard ton fixed. St. 1894, 429. (See 1883, 218; 1884, 70.)

An act to regulate the size of berry baskets. St. 1900, 339.

SECTS. 3-7. Additional provisions. St. 1897, 443, 517.

SECT. 8. Sealers are to be appointed in cities by mayor and aldermen. St. 1882, 42.

SECT. 12 extended to receptacles for milk and cream. St. 1900, 369.

SECTS. 18-21, 25. See 1897, 443 § 8.

SECT. 21. Unlawful measures may be seized. Their possession implies unlawful intent. St. 1883, 225.

SECTS. 27, 29. See St. 1890, 276; 1894, 198; 1895, 28.

Chapter 66.—Of the Metric System of Weights and Measures.

See St. 1890, 426 § 2.

Chapter 67.—Of Auctioneers.

SECTS. 1, 5 are revised. St. 1886, 289; 1899, 235.

Certain veteran soldiers and sailors are exempted from payment of license fee. St. 1895, 456.

SECT. 6 amended and auction sales further regulated. St. 1890, 449; 1891, 144. (See 1886, 289.)

Chapter 68.—Of Hawkers and Peddlers.

SECT. 1. Cities and towns may regulate peddling. St. 1883, 168; 1900, 157. Itinerant vendors must be licensed. Sales by them regulated. St. 1890, 448; 1894, 525. Ice added. St. 1899, 260. (See 1885, 309; 1886, 287; 1887, 422, 445; 1890, 276, 449; 1891, 144; 1895, 338.)

Provision to prevent illegal peddling by minors. St. 1887, 422; 1892, 331. (See 1885, 305.) And peddling near licensed picnic groves. St. 1887, 445. (See 1885, 309.)

SECTS. 1, 2. Cities may regulate sale by hawkers and peddlers of any articles mentioned in section one. St. 1883, 168.

SECT. 2. New provisions made for licensing minors and regulating sales by them. St. 1892, 331. (See 1887, 422.)

SECTS. 4, 9. Licenses may be granted to persons over seventy years of age. St. 1883, 118. And to certain honorably discharged soldiers and sailors. St. 1889, 457.

SECT. 17. See St. 1890, 449 § 2.

Chapter 69.—Of Shipping and Seamen, Harbors and Harbor Masters.

Copy of registers of foreign vessels must be filed with commissioner of corporations and the commissioner appointed agent to receive service of legal process. St. 1889, 393. (See 1884, 330.)

SECTS. 1-9. Provision made for transportation of shipwrecked seamen. St. 1886, 179; 1898, 230.

SECT. 5. Extended to Gloucester harbor. St. 1895, 106 § 1.

SECT. 8. Clause as to advance wages stricken out. St. 1889, 284.

SECT. 11. Harbor lines established: Boston; St. 1882, 48; 1891, 309; 1892, 358 § 2; 1898, 278. Buzzard's Bay; 1898, 169. Chelsea; 1887; 344. Gloucester; 1882, 103; 1883, 109; 1895, 106 § 2. (See 1885, 315.) Haverhill; 1883, 104.

SECT. 14. Additional provisions made. St. 1897, 273.

SECT. 23. Further provisions for protection of harbors, beaches and shores. St. 1884, 269; 1892, 206; 1899, 463. Boston; 1892, 358. Marblehead; 1892, 214.

SECT. 25. Provision for assistant harbor masters. St. 1882, 216. (See 1884, 173.)

Appointment of harbor masters in Boston regulated. St. 1889, 147.

SECTS. 26, 29, 33 amended. Powers of harbor masters extended. St. 1884, 173. Regulations made for Gloucester harbor. St. 1885, 315. (See 1895, 106.)

Chapter 70.—Of Pilots and Pilotage.

Additional pilots provided for. St. 1882, 174; 1887, 298.

Pilotage fees established: Cohasset; St. 1887, 298. Salem and Beverly; 1887, 204. Winthrop; 1892, 114. Wood's Holl; 1889, 275. (See 1888, 288.)

SECT. 7. Boston harbor limits regulated. St. 1892, 358 § 2. (See 1882, 48; 1891, 309; 1897, 486; 1898, 278; 1899, 469.)

SECT. 12. The pilots shall be "for any or all of said ports." St. 1890, 300.

Waters of Buzzard's Bay defined. St. 1898, 169.

SECTS. 26-32. Certain exemptions from fees are made. St. 1884, 213, 252.

SECT. 30. Limit extended. St. 1884, 252 §§ 2, 3.

SECT. 39. It is forbidden to assume or continue to act, without authority, as a pilot. St. 1884, 252 § 6.

Chapter 71. — Of Agents, Consignees and Factors.

Collection agencies are forbidden to employ persons dressed in unusual costumes, etc., to demand payment of debts. St. 1899, 238.

Chapter 72. — Of Public Warehouses.

An act relative to public warehousemen and other depositaries. St. 1899, 352.

SECT. 2. Bond and sureties are to be approved by the governor. St. 1885, 167.

SECT. 5. Provision for non-negotiable receipts assignable only on the books of the warehouseman. St. 1886, 258.

SECTS. 8, 10 amended. St. 1895, 348.

SECT. 10. Goods may be sold to pay charges a year overdue. St. 1887, 277; 1895, 348 § 6. (See 1899, 412.) Sale of perishable and dangerous goods provided for. St. 1895, 348.

Chapter 73. — Of Common Carriers and Express Companies.

An act to protect the business of licensed carriers of goods for hire. St. 1895, 481.

Transportation and delivery of intoxicating liquors in no-license towns regulated. St. 1897, 271. And transportation of human bodies. St. 1897, 437 § 6.

Chapter 74. — Of the Employment of Labor.

A State board of arbitration and conciliation is established. St. 1886, 263; 1887, 269. (See 1898, 366.) Clerk provided for. St. 1888, 261. And expert assistants. St. 1890, 385; 1892, 382.

Employment in the civil service is regulated. St. 1884, 320; 1887, 364; 1888, 41, 253, 334; 1889, 177, 183, 351, 352; 1891, 140; 1893, 95, 253; 1894, 267; 1895, 376; 1896, 449, 494, 502, 517; 1897, 328; 1900, 69. (See 1894, 238, 519; 1895, 376, 501; 1898, 366, 367, 447, 454. Res. 1892, 34.)

Preference is to be given to veteran soldiers and sailors in certain cases. St. 1896, 517. (See 1884, 320 § 14; 1887, 437; 1889, 473; 1894, 519; 1895, 501; 1898, 447, 454.)

And to citizens of the United States in employment of mechanics and laborers on public works. St. 1896, 494.

Provision for appointment of a registrar of labor. St. 1895, 376.

It is made an offence to compel any person, as a condition of employment, to agree not to join a labor organization. St. 1894, 508 § 3. (See

1892, 330; 1894, 437.) Or to lodge, board or trade at a particular place. St. 1900, 469.

Workmen employed by a contractor on public work for a city or town may sue the city or town for their wages, on certain conditions. St. 1892, 270. (See 1896, 444.)

Provision to prevent persons not residents of the Commonwealth acting as officers to protect property of employers of labor. St. 1892, 413.

Provision for a State industrial camp for certain convicts. St. 1898, 393. (See 1898, 365.)

Provision for authorizing bells, gongs, and whistles for factories, etc. St. 1883, 84.

Leave of absence to vote provided for. St. 1898, 548 §§ 5, 409. (See 1887, 272; 1890, 423 §§ 143, 144; 1893, 417 § 7.) Influencing or punishing vote of employees is forbidden. St. 1898, 548 § 410. (See 1893, 417 § 337; 1894, 209.)

SECTS. 1, 2, 3 are repealed and the laws relating to employment of labor are revised and consolidated. St. 1894, 508, 534; 1895, 129, 144, 438; 1896, 241, 288, 334, 449, 494; 1898, 150, 394, 481, 494, 505; 1899, 247, 396 § 2, 413; 1900, 239, 357, 378, 469, 470. (See 1882, 150; 1884, 275; 1886, 87; 1887, 103, 121, 173, 215, 218, 269, 280, 330, 363, 399, 433; 1888, 149, 305, 348, 426 § 1; 1889, 135, 291; 1890, 48, 90, 183, 299, 375; 1891, 125, 239, 317, 350, 357; 1892, 83, 210, 296, 330, 352, 357, 410, 413 § 2; 1893, 246, 386, 406; 1894, 209, 437, 498; 1895, 471; 1896, 343, 444, 481, 502, 517; 1897, 328; 1898, 447, 454, 539 § 2; 1899, 242; 1900, 335.) Employees in public offices may be allowed a half holiday each week. St. 1898, 367.

Specification of work is required in textile factories. St. 1894, 534; 1895, 144. (See 1887, 361; 1891, 125; 1892, 410; 1894, 508 §§ 55, 56.) Use of traversing machinery in cotton factories restricted. St. 1896, 343.

SECT. 3. Liability of employers for injuries to employees extended and regulated. St. 1886, 260; 1887, 270; 1888, 155; 1892, 260; 1893, 359; 1894, 389, 481 §§ 8-10, 63, 499; 1895, 362 § 7; 1897, 491; 1900, 446. (See 1883, 243; 1886, 140, 173, 260; 1890, 83, 179; 1893, 111; 1896, 302, 343.) And for injuries to persons not employees. St. 1898, 565.

SECT. 4. Hours of labor regulated in certain cases. St. 1894, 508 §§ 7-14; 1899, 344; 1900, 357, 378. (See 1883, 157; 1884, 275; 1886, 90; 1887, 215, 280, 330; 1888, 348 §§ 1, 2; 1890, 183, 375; 1891, 350; 1892, 83, 352, 357; 1893, 386, 406; 1898, 367.) Deductions in wages of women and children restricted. St. 1898, 505.

SECTS. 4, 5. Form of complaint prescribed. St. 1894, 508 § 56. (See 1892, 210.)

Chapter 75.—Of Limited Partnerships.

SECT. 3. Name of a former firm may be used with consent of its members. St. 1887, 248 § 1.

SECT. 5. Fee for filing fixed at one dollar. St. 1896, 523.

SECT. 6. Certificate must be filed in office of secretary of the Commonwealth. St. 1898, 485.

SECTS. 7, 8, 12 amended. Interest and liability of special partners regulated. St. 1887, 248.

Chapter 76. — Of the Use of Trade-marks and Names.

An act to protect owners of cans, bottles, etc., used in sale of milk, cream, soda water and other beverages. St. 1893, 440; 1900, 359. And to protect use of labels, trade-marks and forms of advertising. St. 1895, 462; 1899, 359. (See 1890, 104; 1893, 443; 1894, 285; 1898, 500; 1900, 369.)

Sale of goods marked sterling, or coin silver, regulated. St. 1894, 292.

Chapter 77. — Of Money, Bills of Exchange, Promissory Notes and Checks.

Acts relative to negotiable instruments. St. 1898, 533; 1899, 130.

SECT. 1. The par of exchange established by United States Rev. Stc. § 3565 is adopted. St. 1882, 110.

SECT. 3 is not repealed by St. 1888, 388, nor by 1898, 577. (See 1890, 416; 1892, 428; 1895, 497; 1896, 183; 1898, 577 § 11.)

Interest on and discharge of small loans regulated. St. 1888, 388; 1892, 428; 1898, 577. (See 1890, 398, 416.)

SECTS. 8-17 are revised. St. 1898 533; 1899, 130. (See 1885, 210; 1888, 329; 1894, 333, 427; 1895, 201, 415; 1896, 228, 496.)

Provision made for payment of checks, drafts, etc., presented after death of drawer. St. 1885, 210.

Chapter 78. — Of the Prevention of Frauds and Perjuries.

No agreement to make a will, devise or legacy is binding unless in writing. St. 1888, 372.

Chapter 79. — Of the State Board of Health, Lunacy and Charity.

Title amended, and board divided into a board of health, a board of charity and a board of insanity. St. 1886, 101; 1898, 433. (See 1884, 179 § 4; 1890, 58; 1898, 425, 438, 443; 1899, 54, 158; 1900, 215, 254, 451.) Disbursing officer shall give bond. St. 1899, 54.

Salary of secretary fixed. St. 1889, 370.

The board of health is given general supervision of inland waters and sources of water supply. St. 1888, 375; 1890, 441 § 1. (See 1884, 154; 1886, 274; 1889, 439.) And the vaccine institutions. St. 1894, 355.

It may forbid sale of impure ice. St. 1886, 287. (See 1895, 338.)

Appropriation for enforcing laws against adulterations increased. St. 1891, 319. (See 1882, 263 § 5; 1883, 263; 1884, 289 § 1.)

False representations to officers of the board, etc., made punishable. St. 1891, 343. (See 1898, 433.)

It must report prosecutions and expenditures. St. 1884, 289 § 2. (See 1898, 366.)

The governor may appoint a special officer to assist in cases of deserted and unprotected children. St. 1895, 310. (See 1885, 158.)

SECT. 2. See St. 1900, 333.

SECT. 3. See St. 1884, 179 § 4; 1890, 58 § 2; 1891, 54; 1894, 245.

SECT. 5. See St. 1900, 215.

SECTS. 8, 9. Classes of inmates who may be removed specified. St. 1887, 367; 1899, 193. (See 1886, 219, 319; 1887, 346, 367; 1894, 251; 1895, 390; 1896, 482; 1897, 418; 1898, 425, 433, 438; 1900, 254.)

SECT. 13 amended. St. 1894, 196.

Chapter 80. — Of the Preservation of the Public Health.

A metropolitan system of sewerage is provided for. St. 1889, 439; 1895, 342, 406; 1897, 80, 81, 83, 88, 502. (See 1891, 192; 1894, 307; 1895, 294; 1898, 180, 386, 424; 1899, 122.) And water supply. St. 1895, 488; 1896, 436; 1897, 327, 336, 339, 445; 1898, 166, 392, 464; 1899, 306, 308, 342, 349; 1900, 108, 375. And parks. St. 1893, 407; 1894, 288, 483, 509; 1895, 305, 450; 1896, 465, 550; 1897, 121, 311; 1898, 455, 473; 1899, 378, 400, 406, 419. (See 1893, 475; 1894, 393, 479; 1895, 272, 283; 1896, 199, 466; 1898, 166, 366, 427, 463, 530, 531, 543; 1899, 458, 463, 464; 1900, 242, 299, 312, 340, 393, 413.) Provision for public baths. St. 1898, 125.

Provision made to prevent adulteration of food and drugs. St. 1882, 263; 1884, 289; 1886, 171, 287; 1891, 319; 1897, 344. (See 1883, 263; 1889, 326; 1891, 58, 374, 412; 1894, 280; 1895, 385; 1896, 264, 377, 397 § 19; 1898, 192, 193; 1899, 169.) And of spirituous liquors. St. 1896, 272.

To regulate bakeries. St. 1896, 418.

To prevent sale of toys or confectionery containing arsenic. St. 1891, 374. And to regulate manufacture and sale of textile fabrics and papers containing arsenic. St. 1900, 325.

To prevent sale of impure ice. St. 1886, 287. (See 1895, 338; 1899, 260.)

To prevent manufacture of clothing in unhealthy places. St. 1894, 508 §§ 44—48; 1898, 150. (See 1891, 357; 1892, 296; 1893, 246.)

To prevent feeding of garbage, refuse or offal to milch cows. St. 1889, 326. Or to food animals. St. 1895, 385. Provision for inspection of concentrated commercial feed stuffs. St. 1897, 117. Cremation of garbage, etc., authorized. St. 1889, 377.

To authorize and regulate crematories. St. 1885, 265; 1898, 437.

To abate nuisances by smoke in Boston. St. 1895, 389. (See 1893, 353.) And nuisances on unoccupied land and private passageways. St. 1893, 342; 1897, 185. Other special provisions for Boston. St. 1897, 219, 221; 1898, 298; 1899, 222. (See 1898, 412.)

Provision for street watering. St. 1895, 186; 1897, 419.

For suppression of contagious diseases among cattle. St. 1884, 232; 1887, 250, 252; 1894, 491; 1895, 476, 496; 1896, 276; 1897, 165, 178, 499. (See 1885, 148, 378; 1892, 195, 432; 1893, 306.)

For registration and regulation of pharmacists. St. 1896, 397, 1898, 192; 1899, 422; 1900, 106, 317. (See 1885, 313; 1887, 267, 431; 1888, 209; 1893, 227, 472; 1894, 435; 1898, 548 § 6.) And of dentists. St. 1887, 137; 1897, 187; 1900, 294. And plumbers. St. 1888, 105; 1893, 477; 1894, 455; 1895, 453. (See 1882, 252 § 2; 1892, 419 §§ 120, 134.) And gasfitters in Boston. St. 1897, 265. And of physicians and surgeons. St. 1894, 458; 1895, 412; 1896, 230; 1897, 196. And for licensing and regulating stables in cities. St. 1891, 220; 1895, 213; 1896, 332; 1897, 300. (See 1897, 428.)

Supreme judicial court in equity may enforce provisions of this chapter and acts in addition thereto. St. 1893, 460; 1899, 143.

SECTS. 1, 58, 83, 93 amended. St. 1886, 101 § 4. (See 1898, 433, 443.)

SECTS. 2, 21, 28—35 amended; section 3 repealed and provision made

for election of boards of health in towns. St. 1898, 548. (See 1885, 307; 1894, 218, 473; 1895, 398, 506; 1897, 178, 428 § 2; 1899, 292.)

SECT. 8 is revised. St. 1895, 332. (See 1894, 174.)

SECT. 10. Local boards may close places of burial. St. 1885, 278 § 1. Transportation and burial of human bodies regulated. St. 1897, 437. (See 1885, 265; 1898, 437.)

SECT. 12. Provisions for regulation of house drainage and connection with public sewers. St. 1889, 108; 1890, 132; 1899, 319; 1900, 112.

SECTS. 21-23. Privy vaults are restricted. St. 1890, 74; 1899, 184.

SECT. 28. Expenditure under this section, without a previous appropriation, is limited. St. 1887, 338 § 1. (See 1898, 366.)

SECTS. 30-32. Right given of appeal and trial by jury, as in case of land taken for highways. St. 1887, 338 §§ 2, 3.

SECTS. 51-55 repealed. New provisions made in regard to vaccination. St. 1894, 515. (See 1894, 355, 498 § 9; 1898, 433 § 28.)

SECT. 60. Further provisions regulating infant boarding houses and adoptions. St. 1889, 309; 1891, 194; 1892, 318; 1898, 433 § 24; 1899, 276. (See 1882, 270; 1885, 176; 1889, 416; 1893, 262; 1895, 310 § 2; 1900, 254.)

SECT. 69 amended. St. 1893, 79.

SECT. 70. Massachusetts homœopathic hospital aided, and appointment of trustees provided for. St. 1890, 358. (See 1898, 98, 137, 366.)

SECTS. 78, 79 are repealed and new provisions made as to notices and reports of contagious diseases. St. 1883, 138; 1884, 64, 98; 1885, 198; 1890, 102; 1891, 188; 1893, 302; 1894, 515. (See 1894, 498 § 9; 1898, 496 § 11.) Provision for hospital accommodations in cities. St. 1894, 511. And for treatment of indigent persons suffering from contagious or infectious venereal diseases. St. 1895, 400. (See 1891, 420; 1894, 511; 1895, 483, 503.)

SECT. 83 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1883, 138; 1893, 302; 1898, 438.)

SECTS. 88-91 amended. Appeals and proceedings regulated. St. 1889, 193. (See 1883, 133.)

SECT. 92. Consent of common council required in cities. St. 1893, 106.

SECT. 93 amended. St. 1886, 101 § 4; 1898, 433 § 28.

SECT. 96 amended. St. 1896, 252.

SECT. 96 *et. seq.* Further provision made to protect the purity of inland waters and sources of water supply. St. 1884, 154, 172; 1888, 160, 375; 1890, 441; 1897, 510; 1899, 308. (See 1886, 274; 1893, 407; 1896, 252; 1897, 327; 1898, 166.)

SECTS. 98-100 are repealed. St. 1884, 154.

SECTS. 103-105 are repealed. St. 1891, 120.

Chapter 81.—Of the Promotion of Anatomical Science.

SECTS. 1, 2, 4 revised. St. 1898, 479. (See 1887, 310; 1891, 185, 406; 1900, 333.)

SECT. 3 repealed. St. 1891, 185.

Chapter 82.—Of Cemeteries and Burials.

Provision made for commissioners of burial grounds in towns. St. 1890, 264. Sale of property by order of supreme judicial court. St. 1897, 462.

Cremation of the dead authorized and regulated. St. 1885, 265; 1898, 437. (See 1897, 437.)

Change of corporate name provided for. St. 1891, 257, 360; 1892, 198, 201. (See 1895, 104; 1896, 523.)

SECT. 3 is revised. Rights in burial lots and tombs defined. St. 1883, 262; 1885, 302; 1892, 165; 1899, 479 § 12; 1900, 450 § 9.

SECT. 6. Conveyances need be recorded only in the records of the corporation. St. 1883, 142; 1889, 299.

Records must be kept of all conveyances and contracts in relation to lots. St. 1889, 299. (See 1883, 142; 1890, 264 § 3.)

SECT. 17. Towns and cities may receive funds for care, improvement and maintenance of burial places and lots. St. 1884, 186; 1890, 264 § 4.

SECT. 19. Boards of health may close any place of burial. St. 1885, 278 § 1. Transportation and burial of human bodies regulated. St. 1897, 437. (See 1898, 437.)

SECT. 20. See St. 1892, 165 § 2.

SECT. 24. To sustain an appeal the jury must find that the closing was not necessary for the protection of the public health. St. 1885, 278 § 2.

SECTS. 25-28 are repealed. St. 1885, 278 § 3.

Chapter 83.—Of the Settlement of Paupers.

SECT. 1, cl. 5, is amended. St. 1898, 425 § 1.

SECT. 6 is revised. St. 1898, 425 § 2.

Chapter 84.—Of the Support of Paupers by Cities and Towns.

Provision is made for remedial treatment of recently insane paupers. St. 1890, 414. (See 1886, 319 § 3.)

False representations for the purpose of causing any person to be supported as a pauper are made an offence. St. 1891, 343.

An act to provide for the care and maintenance of indigent and neglected children. St. 1900, 397.

Provision made for custody and care of pauper children. St. 1882, 181; 1883, 232, 245; 1886, 330; 1887, 401; 1888, 248; 1889, 230, 309; 1893, 197, 217, 252; 1896, 288, 382; 1898, 496 § 35; 1900, 254, 397.

An act relative to the support of the poor in towns. St. 1898, 396. (See 1897, 374; 1898, 391.)

As to tramps, see St. 1896, 385.

SECT. 2. See St. 1890, 414; 1893, 423 § 12.

SECT. 3 is extended to towns. St. 1893, 197. The state board of charity may act in certain cases. St. 1887, 401, 441; 1893, 197 § 2; 1898, 396 § 2. (See 1889, 230 § 2; 1897, 374 § 3; 1898, 433, 443.) They shall inspect almshouses. St. 1900, 215. Towns and cities except Boston, may not establish institutions for the insane. St. 1900, 451 § 1.

SECT. 6. The pauper and his estate are made liable for expenses incurred for him. St. 1882, 113. The same obligation shall rest upon the mother as upon the father. St. 1898, 425 § 3.

SECT. 7 is revised. St. 1898, 425 § 4.

SECTS. 14-18. Transportation of destitute shipwrecked seamen provided for. St. 1886, 179; 1898, 230.

SECT. 17 is revised. St. 1898, 354, 396. (See 1890, 71; 1897, 374.) Overseers shall bury unclaimed or unidentified bodies upon which inquests have been held. St. 1887, 310 § 3. (See 1891, 185; 1898, 479.)

Provision for burial of deceased indigent soldiers, sailors and marines and their widows and mothers. St. 1896, 279; 1897, 164; 1900, 102. (See 1889, 395; 1892, 184; 1894, 62.)

The sums which may be paid for burial of paupers are increased. St. 1890, 71; 1898, 354.

SECT. 18 is revised. St. 1898, 425 § 5. (See 1891, 90 § 1.)

SECTS. 18, 21, 35 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1900, 333.)

SECT. 19 is revised. St. 1895, 445.

SECT. 20. Towns and cities may contract with hospitals for temporary care of the unfortunate and sick. St. 1890, 119.

SECT. 21 amended. St. 1883, 232 § 1. (See 1882, 181, 270; 1883, 245; 1885, 176; 1886, 330; 1887, 401; 1888, 248; 1893, 217.)

SECT. 29. Removal by overseers to be made within one month after notice. St. 1891, 90 § 2.

Chapter 85.—Of the Maintenance of Bastard Children.

SECT. 1. Clerk of court may receive complaint and issue warrant. St. 1885, 289. And approve bond. St. 1899, 262. Fees and bastardy cases revised. St. 1897, 237; 1899, 333.

SECT. 2 amended. St. 1886, 101 § 4; 1898, 433 § 28; 1900, 129. (See 1898, 443.)

SECT. 6. Accused may be committed until bond be given. Provision for approval of bond. St. 1891, 367.

SECT. 14 amended. St. 1898, 157.

Chapter 86.—Of Alien Passengers and State Paupers.

SECT. 1 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1898, 443.)

SECT. 13. Name changed to State hospital. St. 1900, 333. A new board for both almshouse and workhouse is established and regulated. St. 1884, 297; 1891, 299. (See 1898, 366, 433, 443.)

SECT. 15. See St. 1884, 297; 1896, 288.

SECTS. 16, 19. The same person may be superintendent and resident physician. St. 1883, 278.

SECT. 21. Change made in persons who may give certificates. St. 1891, 84. (See 1898, 425 § 5.)

SECT. 22 *et seq.* The removal of sick paupers is further regulated. St. 1885, 211; 1887, 440.

SECTS. 25, 26, 31 amended. St. 1885, 211; 1891, 153. (See 1887, 440.)

SECT. 26 amended. St. 1898, 391.

SECT. 28 was repealed by St. 1883, 239, which was again repealed and new provisions made by St. 1886, 298. (See 1884, 88; 1887, 123 § 2.)

SECT. 37 is extended to persons not being sentenced inmates. Complaints regulated. St. 1884, 258.

SECT. 39. Board of lunacy and charity may transfer pauper lunatics to asylum at State almshouse. St. 1888, 69. (See 1898, 433, 443; 1900, 451.)

SECT. 44 *et seq.* New provisions made as to care of children. St. 1882, 181; 1883, 232; 1886, 330; 1888, 248; 1889, 230, 309, 416; 1893, 197, 217, 252; 1896, 288, 382; 1900, 254, 397.

A limited number of children afflicted with epilepsy or chronic disease may be placed in hospital cottages at Baldwinville, which are aided, and State trustees are provided for. St. 1887, 441; 1889, 230; 1890, 354; 1892, 407. (See Res. 1888, 91. St. 1898, 433.) Hospital established for epileptics. St. 1895, 483. (See 1898, 213, 433 § 28.) And for consumptives. St. 1895, 503. (See 1895, 400; 1898, 433, 575.)

SECT. 46 amended. St. 1882, 181 § 1. (See 1886, 101 § 4, 330; 1888, 248; 1898, 433, 496.)

Chapter 87. — Of Lunacy and Institutions for Lunatics.

The word "lunatic," wherever it occurs in the laws, is changed to "insane person." St. 1898, 433 § 23.

SECTS. 1, 29, amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1897, 374; 1898, 366, 367, 396; 1899, 193.)

A board of commissioners of insanity is established. St. 1898, 433. (See 1898, 425 §§ 5, 6, 443; 1899, 54, 158.) Provision for a State colony for the insane to be governed by a board of trustees. St. 1900, 451.

SECT. 2 *et seq.* Additional hospital accommodations provided for at Westborough; St. 1884, 322. In eastern Massachusetts; St. 1890, 445. At Medfield and Dover; St. 1892, 425. (See 1893, 395; 1894, 391, 465, 526; 1895, 399; 1899, 193. Res. 1896, 41.) A hospital for male dipsomaniacs and inebriates; St. 1889, 414; 1890, 251; 1891, 158; 1899, 266, 325. (See 1885, 339; 1891, 307; 1892, 53; 1893, 223, 256, 395; 1897, 474. Res. 1892, 33, 50, 55.) For insane criminals; St. 1886, 219; 1895, 390. For epileptics; St. 1895, 483. (See 1898, 213, 433; 1899, 211; 1900, 451.)

SECT. 4. Number of trustees increased. St. 1884, 149.

SECTS. 6, 7, 9. Extended to hospital for epileptics. St. 1895, 483 § 6.

SECT. 6 *et seq.* At all State institutions for the insane, provision shall be made for fire escapes and apparatus. St. 1890, 378.

SECT. 7. Female assistant physician provided for. St. 1884, 116.

SECT. 9. Time of meeting and of report changed. St. 1887, 170.

SECT. 11 *et seq.* Further provisions as to commitment and custody of insane. St. 1884, 234, 322 §§ 7, 9; 1885, 339, 385; 1886, 219, 319; 1887, 346; 1888, 414; 1889, 90, 414; 1890, 414; 1891, 158; 1892, 53; 1894, 195; 1895, 286, 390, 429; 1896, 482; 1897, 418; 1898, 433, 438; 1899, 266; 1900, 350, 451. (See 1883, 148; 1892, 229.) And of epi-

leptics. St. 1895, 483. (See 1900, 205.) Commitment of insane women. St. 1899, 198. (See 1899, 211.)

SECTs. 11, 37, 46. Cities of over fifty thousand inhabitants may establish asylums for chronic insane. St. 1884, 234. (See 1900, 451 § 1.)

Chronic and quiet insane may be cared for in private families. St. 1885, 385. (See 1887, 347 § 2, 367; 1890, 414; 1894, 195; 1896, 482.)

SECT. 12 amended. St. 1894, 195; 1898, 433 § 28. (See 1895, 429.)

SECT. 13 is revised. St. 1895, 286, 429. (See 1892, 229.) Fee for commitment established. St. 1894, 493.

SECT. 14 repealed and revised. St. 1892, 53; 1898, 438; 1900, 350. (See 1885, 339; 1898, 433 § 26.)

SECT. 15. See St. 1884, 322 § 7.

SECT. 23. Fee for physician's certificate changed. St. 1894, 493 § 2. (See 1895, 286, 429.)

SECT. 25. Application shall be made in case of any insane person deprived of proper treatment. St. 1890, 414 § 1.

SECT. 26 is amended. St. 1898, 438. (See 1884, 234; 1886, 101 § 4; 1898, 433 § 28.)

SECT. 31 *et seq.* See St. 1890, 296.

SECTs. 32-34. Commonwealth shall pay for support of certain criminals committed to insane hospitals. St. 1883, 148; 1889, 90. (See 1894, 214 § 3.)

Provision to reimburse towns in certain cases. St. 1892, 243; 1895, 375; 1898, 196; 1899, 156.

SECT. 37. Name of temporary asylum changed. St. 1887, 239.

SECT. 38 *et seq.* The removal and transfer of the insane regulated. St. 1884, 234 § 3, 322 §§ 7, 9; 1885, 339 §§ 2, 3, 385; 1886, 219, 319; 1887, 346 § 2, 367; 1889, 90, 414 § 16; 1890, 414; 1891, 158; 1894, 251; 1895, 390; 1896, 482; 1897, 418; 1898, 433; 1899, 158. (See 1895, 483; 1898, 213; 1900, 451 § 8.)

SECT. 40. Superintendents may be authorized to discharge patients and may allow temporary absences. St. 1883, 78. (See 1885, 339 § 3; 1886, 319.)

SECTs. 40, 42-44. See St. 1899, 266 § 3.

SECT. 46 *et seq.* Overseers of the poor shall not commit or detain recently insane persons in an almshouse without remedial treatment. They must give notice to the State board of the admission and discharge of the insane. St. 1890, 414. (See 1886, 319 § 3.)

SECTs. 47-49 are repealed. The asylum at Ipswich is discontinued. St. 1887, 207. (See 1890, 445.)

SECT. 50. See St. 1887, 367; 1898, 433 § 11.

SECT. 55 *et seq.* Name changed to "school for the feeble-minded." Regulations revised. St. 1883, 239; 1886, 298. The allowance is increased. St. 1887, 123. (See 1884, 88; 1886, 298 § 4.)

Chapter 88.—Of the State Workhouse.

Name changed to "State farm." St. 1887, 264.

A new board is established. St. 1884, 297; 1891, 299. (See 1883, 279; 1887, 264; 1898, 366, 433, 443.) Provision for a State industrial camp for certain convicts. St. 1898, 393.

Provision for an asylum for insane criminals. St. 1886, 219; 1895, 390. (See 1886, 319; 1887, 367; 1894, 195, 251; 1896, 482; 1897, 418; 1898, 433, 443.)

SECT. 4 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1898, 443.)

SECTS. 5-8. Persons not being sentenced inmates, who escape and within one year are found begging, may be punished. St. 1884, 258. (See 1889, 245.) Sentences to State farm regulated. St. 1882, 127; 1884, 258; 1898, 443. (See 1887, 264; 1894, 214; 1898, 433.)

Provision made for transfer of prisoners to and from the State farm. St. 1884, 297; 1887, 292; 1890, 180, 278; 1894, 214, 251; 1895, 390; 1899, 263. (See 1899, 243.)

Chapter 89.—Of the State Primary and Reform Schools and the Visitation and Reformation of Juvenile Offenders.

SECTS. 1-8. Primary and reform schools changed to Lyman school; and authority of trustees extended and commitments regulated. St. 1884, 323; 1885, 86, 151; 1895, 428. (See 1884, 255 § 11; 1896, 288.)

SECTS. 4, 5. Provision made for care and maintenance of pauper children between the ages of three and sixteen having no settlement. St. 1882, 181; 1883, 232 § 3; 1886, 330. (See 1888, 248; 1896, 288; 1900, 254.)

SECTS. 5, 7 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1898, 443; 1899, 158.)

SECT. 15. Extended to United States courts. St. 1887, 426 § 2. (See 1894, 377; 1898, 131; 1899, 345.)

SECT. 18 *et seq.* Arrests and commitments of children regulated. St. 1882, 127, 181 § 3; 1883, 110; 1884, 255 § 11, 323 § 3; 1888, 248; 1899, 193, 201. (See 1887, 266; 1889, 469; 1896, 288, 382; 1898, 433, 496, 580.)

No boy over fifteen shall be committed to the Lyman School. St. 1884, 255 § 11, 323 § 3. (See 1898, 158.)

Summons to be issued to children under twelve. St. 1882, 127 § 3.

SECT. 20. New provision made as to notice of complaint. St. 1883, 110.

SECT. 22. See St. 1899, 193.

SECT. 33. Fees and charges of salaried officers regulated. St. 1889, 469; 1890, 440; 1891, 325.

SECT. 34 *et seq.* See 1896, 288.

SECT. 38 *et seq.* See St. 1895, 428 § 3; 1896, 288, 382; 1898, 396.

SECT. 45. Trustees may discharge boys for mental incapacity or bodily infirmity. St. 1889, 123.

SECT. 47. See St. 1896, 317.

SECTS. 49, 51 repealed. St. 1888, 248 § 2. (See 1882, 181 § 3; 1887, 266.)

Chapter 90. — Of Contagious Diseases among Cattle, Horses and Other Domestic Animals.

This chapter is repealed and revised. St. 1894, 491; 1895, 476, 496; 1897, 165, 178; 1899, 292, 408. (See 1884, 232; 1885, 148, 378; 1887, 250, 252; 1892, 195, 432; 1893, 306; 1895, 449 § 19; 1896, 250, 276; 1897, 499; 1898, 366, 451.)

Chapter 91. — Of Inland Fisheries and Kelp.

The commissioners shall be game commissioners also. St. 1886, 276 § 7. (See 1893, 105; 1895, 56; 1898, 124. Res. 1898, 30.)

The district police may enforce fish and game laws. St. 1897, 288.

Fishing is regulated in various places: Barnstable county; St. 1884, 264; 1887, 120; 1892, 196. (See 1885, 193; 1886, 202; 1899, 107.) Bass river; 1894, 134. Berkshire; 1888, 276; 1890, 193; 1895, 199. Bourne; 1899, 194. (See 1889, 202; 1891, 164.) Brimfield; 1895, 411. Bristol; 1882, 189. Buzzard's bay; 1884, 214 § 2; 1886, 192; 1891, 327; 1893, 205, 255. (See 1887, 197; 1890, 229; 1898, 169.) Dennis; 1895, 203. Dukes; 1884, 245; 1886, 234. (See 1882, 102; 1895, 180; 1898, 421; 1900, 101.) Eastham; 1893, 77. Edgartown; 1886, 234; 1891, 52; 1897, 181. (See 1882, 65; 1885, 247.) Essex; 1888, 126; 1893, 36; 1897, 289; 1900, 159. Franklin, Hampden and Hampshire; 1890, 193. Crystal lake, Haverhill; 1894, 296. Ipswich; 1897, 289. Marion; 1892, 188; 1893, 255; 1900, 159. (See 1892, 188; 1893, 55.) Marshfield; 1889, 292; 1890, 336. Mashpee; 1884, 264; 1892, 196. Mattapoisett; 1884, 214; 1890, 229; 1892, 186. (See 1887, 197.) Merrimack river; 1882, 166; 1883, 31, 121; 1884, 317; 1895, 88; 1897, 110. (See 1893, 201; 1894, 113.) Nantucket; 1891, 128. (See 1887, 96; 1888, 238.) Norwell and Pembroke; 1889, 292; 1890, 336. Plum Island bay (tributaries); 1887, 105; 1890, 30; 1900, 159. Plymouth; 1884, 199; 1886, 163; 1889, 292; 1890, 336. (See 1883, 76.) Podonk pond; 1900, 234. Quinsigamond lake; 1896, 259. Randolph; 1889, 78. Rowley; 1897, 289. Scituate; 1889, 292; 1890, 336. Wellfleet bay; 1891, 135. (See 1889, 179.) Lake Chaubunagungamaug, Webster; 1896, 110; Westport; 1887, 193; 1891, 137.

Persons violating the fish laws may be arrested without a warrant in certain cases. St. 1893, 105.

Commissioners may forbid discharge of sawdust from a mill into a brook. St. 1890, 129.

The catching of pickerel is restricted. St. 1888, 331. (See 1895, 199.)

Squam pond, Gloucester, granted to the United States fish commission for ten years. St. 1892, 43.

Provision made for protection of traps, trawls and seines. St. 1882, 53.

A bounty provided for destruction of seals. St. 1888, 287; 1892, 234. SECT. 3. See St. 1893, 105.

SECT. 4 is amended. St. 1899, 103.

SECT. 7 is amended. St. 1900, 344.

SECTS. 10-24. Use of nets in ponds restricted. St. 1884, 318.

An act for the protection of great ponds. St. 1888, 318.

SECT. 12. The provisions for leasing great ponds are repealed. St. 1885, 109. (See 1889, 354; 1895, 180.)

SECT. 16. Proceedings against defaulting lessees regulated. St. 1886, 248.

SECT. 17. See St. 1886, 248 § 2; 1897, 208; 1899, 107.

SECT. 25. Provision for stocking, and regulating fishing in, brooks. St. 1900, 284. For flowing lands in Barnstable for fish culture. St. 1889, 383.

SECT. 26 not repealed by St. 1892, 252.

SECT. 31. Rights of riparian proprietors extended. St. 1890, 231.

SECTS. 36, 39. Use of nets and seines in Merrimack river regulated. St. 1882, 166; 1883, 81, 121; 1884, 317; 1897, 110. (See 1882, 53; 1893, 201; 1894, 113; 1895, 88.)

SECT. 41. Certain fisheries exempted. St. 1884, 199.

SECTS. 45, 46. See St. 1894, 113.

SECTS. 51-53. Regulations for trout, land-locked salmon and lake trout fishing. St. 1884, 171; 1888, 276; 1890, 193; 1891, 138; 1892, 252; 1895, 277. (See 1893, 105.)

Furnishing trout and trout spawn by the Commonwealth regulated. St. 1893, 59.

SECT. 55. See St. 1888, 126.

SECT. 56. Black bass fishing regulated. St. 1893, 80; 1896, 229.

SECTS. 57, 59. Smelt fishery regulated in certain waters. St. 1887, 105; 1890, 30; 1891, 128; 1894, 189.

SECTS. 68, 69. Cities and towns may regulate or prohibit taking of eels and shell-fish. St. 1889, 391. (See 1889, 64; 1892, 186, 188; 1893, 55, 255; 1896, 268; 1897, 289; 1900, 302.)

SECT. 70. Rights acquired under this section not affected by St. 1886, 192; 1887, 197; 1890, 229; 1891, 327; 1893, 205.

SECTS. 73, 74, 75 apply to owners of traps or contrivances for catching lobsters. St. 1889, 109.

SECT. 76. See St. 1882, 102; 1884, 245, 264; 1887, 120.

SECTS. 79, 92. Waters of Buzzard's bay defined. St. 1898, 169.

SECT. 81 *et seq.* Provisions for protection of lobsters. St. 1882, 98; 1884, 212; 1885, 256; 1887, 314; 1889, 109; 1890, 293; 1891, 122; 1893, 183; 1900, 230, 428. (See 1892, 403; 1893, 105.)

SECT. 84. See St. 1884, 212; 1887, 314.

SECT. 85. See St. 1887, 314 § 2.

SECTS. 93-95. Provisions for planting, taking and protection of shell-fish. St. 1884, 284; 1885, 220; 1886, 299; 1887, 119; 1888, 198, 202; 1889, 64; 1892, 74; 1895, 282; 1896, 268; 1897, 289; 1900, 302, 310. (See 1885, 220 §§ 3, 4; 1887, 96; 1888, 223, 238; 1889, 391; 1892, 188; 1893, 55, 172; 1897, 288; 1900, 428.)

SECTS. 97-101 extended to waters where there are no natural oyster beds. St. 1884, 284. And to oyster shells planted to catch seed. St. 1895, 282.

Use of dredge, tongs, etc., on private oyster beds forbidden without consent of owners. St. 1885, 220 § 5. (See 1893, 105.)

The granting of oyster licenses regulated. St. 1885, 220; 1886, 299. (See 1884, 284.)

SECT. 104. Payment of fines and forfeitures regulated. St. 1890, 390 § 3; 1898, 205; 1899, 360; 1900, 428 § 2. (See 1887, 314 § 2.)

Chapter 92. — Of the Preservation of Certain Birds and Other Animals.

This chapter is repealed and revised. St. 1886, 276; 1887, 300; 1891, 254; 1892, 102; 1893, 49, 105; 1894, 97, 102, 205; 1895, 55, 56; 1897, 140, 184, 524; 1898, 181, 195, 339; 1899, 116, 289. (See 1882, 199; 1883, 36, 169; 1884, 282, 308; 1886, 246; 1887, 111; 1888, 269, 292; 1890, 237, 249; 1891, 142; 1893, 189, 398; 1900, 209.)

An act for the protection of small game on Cape Ann. St. 1897, 140. (See 1899, 289.)

The fish commissioners are made game commissioners also. St. 1886, 276 § 7. (See 1893, 105; 1895, 56; 1898, 134.) The district police may enforce fish and game laws. St. 1897, 288.

Persons found violating the game laws may be arrested without a warrant in certain cases. St. 1893, 105.

Provision made for protection of game and prevention of trespass on private land. St. 1884, 308; 1890, 403, 410. (See 1886, 276 § 4.)

Provision for destruction of foxes and raccoons in Dukes county. St. 1890, 237. And of hawks. St. 1900, 128.

SECT. 1, 2. Provision for protection of game birds. St. 1900, 379. (See 1886, 276 § 1; 1888, 292; 1890, 249; 1891, 142; 1893, 189, 398; 1894, 205; 1898, 195.) Quail are protected in Nantucket. St. 1893, 49. (See 1894, 102.) Every Lord's day shall be a close season. St. 1899, 116.

Mongolian, English and golden pheasants are protected. St. 1895, 55; 1900, 64. (See Res. 1894, 79.)

SECT. 3. Pursuit of wild fowl with a boat propelled by any other means than sails, oars or paddles is prohibited. St. 1892, 102; 1897, 184. (See 1886, 246, 276; 1888, 269; 1897, 111; 1900, 209, 279.)

SECT. 6. Provision made for extermination of the English sparrow. St. 1890, 443. (See 1883, 36; 1886, 276 § 4.)

SECT. 7. Trapping or snaring and use of ferrets for certain game are made offences. St. 1886, 276 § 6; 1887, 300; 1891, 254; 1898, 124. (See 1884, 308; 1893, 105.)

SECTS. 8-10. Further provision for protection of deer. St. 1882, 199; 1898, 181. (See 1883, 169; 1893, 105.)

SECT. 9. Close season extended. St. 1894, 97.

SECT. 11. See 1890, 390 § 3; 1898, 205; 1899, 360.

Chapter 93. — Of the Law of the Road.

See St. 1889, 57; 1893, 367 § 120; 1898, 162.

Chapter 94. — Of Timber afloat or cast on Shore.

Floating of timber in Connecticut river regulated. St. 1882, 274; 1883, 183. (See 1885, 344; 1891, 266; 1893, 301.)

Chapter 97. — Of Wrecks and Shipwrecked Goods.

This chapter is revised. St. 1887, 98. (See 1883, 260; 1885, 341.)

Provision made for removal of wrecks and obstructions in tide-waters. St. 1883, 260.

Chapter 98.—Of the Observance of the Lord's Day.

SECTS. 1, 2, 3 are repealed and the observance of the Lord's day regulated. St. 1895, 434; 1900, 440. (See 1886, 82; 1887, 391; 1893, 41; 1897, 389, 431 § 1; 1898, 402, 488.)

The provisions of this chapter are not a defence to actions for injuries to a traveller on the Lord's day. St. 1884, 37.

SECT. 10. See St. 1899, 116.

SECTS. 13, 15 amended. St. 1887, 391 § 3; 1897, 389.

Chapter 99.—Of Gaming.

Provision made for recovery of payments, etc., made on wagering contracts in securities and commodities. St. 1890, 437. (See 1892, 138.)

Provisions against gaming houses and resorts. St. 1885, 342; 1887, 448; 1892, 388; 1894, 410; 1895, 419. (See 1883, 120; 1885, 66; 1887, 380; 1890, 439 § 2; 1893, 226.) And against lotteries, policy lotteries and pool selling. St. 1892, 409; 1895, 419.

SECTS. 1, 2 amended. St. 1895, 419 §§ 11, 12.

SECT. 8 amended. St. 1885, 342; 1895, 419 § 13. (See 1894, 410.)

SECT. 10 repealed. St. 1895, 419 § 14.

Chapter 100.—Of Intoxicating Liquors.

Provision made for license boards in certain cities. St. 1894, 428; 1895, 379; 1896, 396.

The disposal or placing on file of liquor cases is restricted. St. 1885, 359.

A penalty is provided for employing a person under eighteen to serve liquor. St. 1890, 446.

Provision is made to prevent illegal sale of liquor in clubs. St. 1887, 206; 1890, 439; 1893, 226; 1894, 542.

No licenses shall be granted for sales in public parks, pleasure grounds, or reservations. St. 1897, 207.

SECT. 1. Sweet cider and light wines exempted in certain cases. St. 1894, 489.

SECTS. 2, 3, 5, 8, 10. Licenses to and sales by druggists and apothecaries regulated. St. 1896, 397. (See 1885, 313; 1887, 267, 431; 1889, 270; 1893, 472 § 4; 1894, 435.)

SECT. 5 *et seq.* The granting of licenses is further limited and regulated. St. 1882, 220, 222, 242, 259; 1883, 93; 1884, 158; 1885, 83, 90, 216; 1887, 323, 392; 1888, 139, 254, 262, 341; 1889, 270, 344, 347, 361; 1890, 446; 1891, 369; 1896, 397 § 7, 440; 1899, 248, 341, 462. (See 1885, 262, 323 § 2; 1887, 431; 1888, 340; 1890, 423 § 83; 1892, 224, 280; 1893, 148, 417 § 211; 1894, 428, 435; 1895, 89, 299.)

Dealers in paints and chemicals may be licensed to sell pure alcohol for certain trade purposes. St. 1897, 398.

Number of places to be licensed limited. St. 1888, 340.

Transfer of locality of licenses provided for. St. 1889, 344.

Licenses in summer resorts provided for. St. 1888, 340; 1892, 280; 1896, 440; 1899, 462.

Provision for repayment of part of license fee when licensee dies before expiration of license. St. 1897, 227.

SECT. 7. Objection may be made by owner of real estate within twenty-five feet of premises. St. 1887, 323.

SECT. 9. Sales at night regulated. St. 1882, 242; 1885, 90.

Cl. 3 is revised. St. 1896, 272.

Cl. 4 extended to persons supported by public charity. St. 1884, 158.

Cl. 5 revised. St. 1891, 369.

SECT. 10, cls. 1-5. Sale, gift or delivery on election days and certain holidays is forbidden. St. 1898, 548 § 6. (See 1885, 90, 216; 1888, 254, 262; 1889, 186, 347, 361; 1894, 180; 1895, 337; 1896, 162 § 2, 308; 1897, 160; 1899, 462.)

And may be forbidden in cases of riot or great public excitement. St. 1887, 365.

Cls. 1-3. No license of these classes shall be for a building within four hundred feet of a public school. St. 1882, 220. (See 1894, 129.)

Cls. 1-5. No license of the first five classes shall be granted to be exercised in a dwelling-house or a store having interior connection with a dwelling. St. 1888, 189.

Licenses of the sixth class limited and regulated. St. 1896, 397. (See 1885, 313; 1887, 267, 431; 1889, 270; 1893, 227, 472; 1894, 435.)

SECT. 11. The minimum fees are increased. St. 1888, 341.

SECT. 12. View of interior of the premises must not be obstructed. St. 1882, 259 § 1.

SECT. 13. Further requirements of sureties provided for. St. 1882, 259 § 2. Number of bonds on which one may be surety limited. St. 1894, 388; 1896, 169. The form of bond is changed. St. 1888, 283.

SECT. 14 is revised. St. 1897, 233; 1898, 361.

SECT. 16. License shall be void on conviction of violation of any provision of the liquor laws. St. 1887, 392.

SECT. 17. Transportation and delivery of intoxicating liquors in no-license towns further regulated. St. 1897, 271, 487.

SECT. 18 is extended. St. 1882, 242; 1897, 271, 487. The penalties are modified. St. 1889, 114, 268. (See 1896, 308.)

SECT. 24. Sales to a minor for his own or any other person's use are forbidden. St. 1889, 390. No minor under eighteen shall be employed in handling liquors in a brewery or bottling establishment. St. 1899, 413.

Sale to children under sixteen of candy, or other article, enclosing a liquid containing more than one per cent. of alcohol is forbidden. St. 1891, 333.

SECT. 25 is extended to sales by druggists except on physicians' prescriptions. The mayor or selectmen may give the notice and sue for benefit of husband, wife, child, parent or guardian. St. 1885, 282. (See 1896, 397.)

SECT. 26. Additional facts made *prima facie* evidence. St. 1887, 414.

SECT. 27 is revised and new definition made. St. 1888, 219.

SECT. 29. The inspection and analysis of liquors regulated. St. 1882, 221.

Salary of inspector and assayer fixed. St. 1887, 232. (See 1885, 224; 1886, 175.)

SECT. 30. A search warrant may be issued by a justice authorized to issue warrants in criminal cases. St. 1884, 191. (See 1884, 286.)

SECTS. 30, 33. Implements of sale and furniture used or to be used for illegal keeping or sale of liquor may be seized, and destroyed or sold as court may order. St. 1887, 406; 1888, 297. (See 1897, 271, 487.)

SECT. 38. Provision made for disposition of forfeited liquors. St. 1887, 53; 1888, 297. (See 1887, 406.)

SECT. 40. Costs increased in certain cases. St. 1888, 277.

SECT. 45. Clubs may be licensed. St. 1887, 206. (See 1890, 439; 1893, 226; 1894, 542.)

Chapter 101. — Of the Suppression of Common Nuisances.

SECT. 6. Provision for suppression of nuisances under this section. St. 1887, 380. (See 1887, 206.)

St. 1887, 414, applies to cases under this chapter. St. 1887, 414 § 3. Additional costs allowed in certain cases. St. 1888, 277.

Chapter 102. — Of Licenses and Municipal Regulations of Police.

Provision made for registration of pharmacists. St. 1896, 397; 1898, 192; 1899, 422; 1900, 106, 317. (See 1885, 313; 1887, 267, 431; 1888, 209; 1893, 227, 472; 1894, 435; 1897, 271; 1898, 548 § 6.) Of dentists. St. 1887, 137; 1897, 187; 1900, 294. Of plumbers, and inspection of their work and materials. St. 1888, 105; 1893, 477; 1894, 455; 1895, 453. (See 1882, 252 § 2; 1892, 419 §§ 120, 138.) And gas-fitters in Boston. St. 1897, 265. Of physicians and surgeons. St. 1894, 458; 1895, 412; 1896, 230; 1897, 196. Of horses used for breeding purposes. St. 1890, 334. (See 1887, 143.)

And for license for infant boarding-house. St. 1892, 318. (See 1882, 270 § 3; 1889, 309, 416; 1891, 194; 1895, 310; 1898, 433 § 24; 1899, 276.) To make, alter or repair in a private house clothing intended for sale. St. 1894, 508 §§ 44-48. (See 1891, 357; 1892, 296; 1893, 246.) For itinerant vendors of merchandise. St. 1890, 448; 1894, 525. Dealers in paints and chemicals for sale of pure alcohol for certain purposes. St. 1897, 398. Lenders of money on mortgage, or pledge of personal property or assignment of wages. St. 1898, 577.

Licenses are required for engineers and firemen of certain steam boilers. St. 1895, 471; 1896, 546; 1899, 368; 1900, 201. (See 1893, 387; 1894, 481 § 2; 1895, 418.)

SECT. 2 amended. Provision made for license commissioners in certain cities. St. 1894, 235, 428; 1895, 379; 1896, 396.

SECT. 4. Time of grant and expiration of licenses changed. St. 1890, 73.

SECT. 5. See St. 1885, 316; 1893, 436.

SECTS. 12, 15. Liability of innholders further limited. St. 1885, 358; 1897, 305.

SECT. 13 extended to boarding-houses. St. 1883, 187; 1897, 292. Maximum fine decreased. St. 1884, 169. Disposition of unclaimed or retained baggage, etc., regulated. St. 1893, 419; 1894, 181.

- Public lodging-houses in Boston must be licensed. St. 1894, 414.
- SECT. 21. Words "who is a minor" added after "student." St. 1893, 292 § 1.
- SECT. 23 is repealed. St. 1893, 292, § 2.
- SECT. 26. Intelligence offices are regulated. St. 1894, 180. (See 1882, 258.)
- SECT. 28. Provisions for city of Boston. St. 1900, 416.
- SECT. 33. Articles of personal apparel are not to be deemed perishable within the meaning of this section. St. 1884, 324.
- SECTS. 33-37. The business of making loans on deposits or pledges of personal property is regulated. St. 1890, 416; 1895, 497; 1898, 577. (See 1885, 252; 1888, 388; 1892, 428; 1896, 183.)
- SECT. 34. St. 1888, 388, does not apply to licensed pawnbrokers and does not affect this section. St. 1890, 416 § 6; 1892, 428 § 6; 1898, 577.
- SECT. 35. Any district police officer may enter and examine pawnshops. St. 1888, 243. And pawnbrokers' books. St. 1898, 515. (See 1895, 497.)
- SECT. 39. Provision for licenses for stables. St. 1890, 230, 395; 1891, 220; 1895, 218; 1896, 332; 1897, 300, 428 § 2. (See 1889, 89.)
- No livery stable shall be within two hundred feet of a church, etc., without consent of the society worshipping therein. St. 1891, 220 § 2.
- SECTS. 40-53. Provision for inspection of steam boilers. St. 1894, 481 § 3; 1895, 418, 471; 1898, 167, 261. (See 1892, 419; 1893, 387; 1896, 546.)
- SECT. 54. Cities and towns may regulate sale or use of toy pistols, toy cannon and articles in which explosives are used. St. 1882, 272.
- Fire-arms or dangerous weapons may not be sold or furnished to persons under fifteen. St. 1884, 76.
- SECT. 56. Provision made for notice to chief engineer, etc., of place of storage of gunpowder and explosive compounds. St. 1882, 269.
- SECTS. 69-75. Regulations for preparation, storage, inspection and sale of kerosene and petroleum products and erection of buildings therefor. St. 1885, 98, 122; 1894, 399. (See 1882, 250.)
- SECTS. 80-84. The licensing of dogs is further regulated. St. 1885, 292; 1886, 259 § 2; 1887, 135, 307; 1890, 72; 1892, 50.
- The keeping of blood-hounds and other like dogs is restricted. St. 1886, 340; 1892, 50.
- Special licenses may be granted for breeding purposes. St. 1887, 307.
- Bond required to account for receipts from dog licenses. St. 1888, 320.
- Time for payment of such receipts changed. St. 1886, 259.
- SECT. 83 amended. St. 1886, 101 § 4. (See 1898, 433.)
- SECT. 86. Provision for recording licenses in cases of transfer. St. 1884, 185.
- SECT. 92. Slaughtering animals in certain towns regulated. St. 1897, 428 § 2.
- SECT. 98 *et seq.* The law as to damages to domestic animals, etc., by dogs is revised. St. 1889, 454; 1894, 309. (See 1886, 259 § 1.)
- Provision for appropriations from dog tax for maintenance of free public libraries in towns. St. 1890, 347 § 5.

SECT. 115 amended. No license shall be granted for Sunday exhibitions. St. 1895, 434 § 3. (See 1894, 353.)

An act to prevent immoral shows and entertainments. St. 1896, 389.

SECTS. 115-127. Provision for licensing skating rinks. St. 1885, 196. And picnic groves. St. 1885, 309. (See 1887, 445.)

Admission of children to places of amusement regulated. St. 1887, 446.

SECTS. 116-119. Municipal, district and police courts have jurisdiction under these sections. St. 1887, 293.

SECT. 124. Rate and manner of payment for these licenses changed. St. 1882, 258. (See 1894, 180.)

Fee for pawnbrokers' license established in certain cases. St. 1895, 497 § 2.

Hawking and peddling, gaming, horse-racing and shows are restricted. St. 1887, 445. (See 1885, 309.)

Chapter 103. — Of the District and Other Police.

The laws relating to the inspection department of the district police are revised. St. 1894, 481. (See 1888, 113, 389, 399, 426; 1891, 302, 357 § 6; 1892, 318; 1893, 111, 199, 387; 1894, 337, 341; 1898, 167, 366, 483.)

Provision for a reserve police force in certain cities. St. 1896, 314. For county police. St. 1899, 196 § 2. For special officers for the removal and transfer of prisoners. St. 1899, 243.

Special officers appointed in an emergency must be residents of the State. St. 1892, 413. Duties of special district police officers defined. St. 1898, 483.

Tenure of police officers regulated in certain cities. St. 1890, 319.

Police matrons required in certain cities. St. 1887, 234; 1888, 181.

Pensions are provided for in certain cities. St. 1887, 178; 1892, 353, 378; 1893, 51; 1898, 172.

The district police may enforce fish and game laws. St. 1897, 288.

SECT. 1. Number of district police increased. St. 1885, 131; 1887, 256; 1888, 389; 1891, 357 § 6; 1894, 281, 481; 1895, 310, 396, 418 § 8; 1898, 261. (See 1885, 158; 1888, 426 § 13; 1891, 302; 1893, 387.)

The requirement of an examination by a justice is repealed. St. 1885, 186. (See 1884, 190.)

SECT. 3. Clerks provided in chief's office and their salaries fixed. St. 1890, 137; 1892, 249; 1898, 219.

SECT. 5. Salaries fixed. St. 1887, 127; 1892, 128.

SECT. 7. Private detectives may be licensed in cities of 12,000 inhabitants. St. 1898, 486.

SECT. 10. Duties of inspectors extended. St. 1887, 218; 1888, 149 § 3, 316, 399, 426; 1891, 357; 1894, 481; 1895, 136 § 3, 144 § 3, 418, 471; 1896, 546; 1897, 288; 1898, 167, 483, 494 § 8. (See 1882, 266 § 6; 1885, 326; 1887, 219, 226; 1888, 207, 389; 1890, 438; 1891, 261; 1892, 318; 1893, 387.)

An appeal is given from certain orders of inspectors. St. 1890, 438; 1891, 261.

SECT. 11 is repealed. St. 1894, 481. (See 1886, 260 § 3; 1890, 83; 1893, 111; 1898, 320.)

SECTS. 13-20. Railroad police shall be sworn. Tenure of office regulated. St. 1883, 65. (See 1890, 440 § 9; 1898, 282.) Street railway police provided for. St. 1895, 318. An act relative to evidence of appointment of railroad and steamboat police. St. 1896, 225.

Chapter 104. — Of the Inspection of Buildings.

An act to authorize the establishment of a building line on public ways. St. 1893, 462; 1896, 313; 1897, 379.

The height of buildings in cities is restricted. St. 1891, 355. And on parkways and boulevards. St. 1896, 313; 1897, 379. (See 1899, 457.)

An act relative to unauthorized structures. St. 1899, 326.

SECTS. 1-14, 21, 22 and 24 are repealed and the erection and construction of buildings to be used for certain public purposes are regulated. St. 1894, 382, 481, 508; 1899, 139. (See 1882, 208, 266; 1883, 173, 251; 1884, 52, 223; 1885, 326; 1886, 173; 1887, 103 § 3, 173, 218; 1888, 113, 207, 305, 316; 1890, 83, 90, 179, 307, 438; 1892, 419; 1893, 111, 199, 387; 1894, 337, 341; 1895, 368.)

Building law for Boston. St. 1892, 419; 1893, 170, 293, 297, 464; 1894, 257, 443; 1895, 97, 239, 280, 314; 1896, 416, 520; 1897, 175, 265, 300, 310, 413; 1898, 209, 228, 308, 452; 1899, 161, 185; 1900, 271, 321, 335 § 2. (See 1888, 316; 1893, 199; 1898, 268, 284.) Public lodging-houses in Boston regulated. St. 1894, 414. (See 1883, 251 § 2; 1888, 426; 1892, 410.)

SECTS. 4-12. Provision made for inspection and proceedings under these sections. St. 1888, 149, 316, 399, 426; 1890, 438; 1891, 261. (See 1892, 419.) And for inspection of certain steam boilers. St. 1895, 418; 1898, 167. (See 1893, 387; 1894, 481; 1895, 471; 1898, 219, 261.) Of plumbing. St. 1888, 105; 1893, 477; 1894, 455; 1895, 453. And gas-fitting in Boston. St. 1897, 265.

SECT. 6. Provision for appointment of officers where there is no engineer. St. 1888, 399 § 4.

SECT. 8. Appeal given from orders of district police inspectors. St. 1894, 481. (See 1890, 438; 1891, 261.)

SECT. 12. Superior court given concurrent jurisdiction. St. 1891, 293.

SECTS. 13-24. In manufacturing establishments run by steam the engineer's room must, if required by inspector, have means to communicate with machinery rooms, and to control the power. St. 1886, 173; 1890, 179.

The placing of traversing machinery in cotton factories is regulated. St. 1896, 343.

SECT. 14. Extended to mercantile and public buildings. St. 1882, 208.

The use of elevators is further regulated. St. 1882, 208; 1883, 173; 1890, 90.

SECTS. 15-20 are repealed and the provisions for precautions against fire are revised and extended. St. 1883, 251; 1884, 223; 1888, 86, 426; 1894, 382, 481 §§ 24-41, 46; 1900, 335. (See 1882, 266; 1884, 52; 1888, 207, 316, 399, 426; 1890, 307, 378; 1892, 419; 1893, 199; 1894, 337, 341, 454; 1895, 228, 368, 418; 1898, 168, 249.)

SECT. 19. See St. 1884, 52; 1894, 481 § 53.

SECT. 20. As to construction of buildings to be used as theatres, see St. 1888, 207, 426; 1894, 382, 481 § 53.

Provision for securing proper sanitary precautions in school-houses, factories and workshops. St. 1894, 508. (See 1887, 103 § 3, 173, 218; 1888, 149, 305; 1891, 261.)

SECT. 23 is revised. St. 1887, 276. (See 1882, 266 § 4; 1887, 219; 1888, 426.)

SECT. 24 is made to apply to sections 16 to 21. St. 1882, 266 § 5.

Chapter 105.—Of Certain Powers, Duties and Liabilities of Corporations.

Change of name of corporations subject to provisions of chapters 106–119 provided for. St. 1891, 360; 1892, 198, 201. (See 1891, 257; 1895, 104; 1896, 523; 1899, 164.)

An act to authorize certain corporations to surrender their certificates of incorporation. St. 1898, 502.

Assuming name of another corporation, or a similar name, is restricted. St. 1891, 257. (See 1888, 413 § 27, 429 § 2.)

An act relative to the use of streets by certain corporations. St. 1899, 453.

Conditions prescribed for foreign corporations doing business here. St. 1882, 106; 1883, 74; 1884, 330; 1886, 230; 1889, 393; 1890, 329; 1891, 341; 1894, 381, 476, 541; 1895, 157, 311; 1896, 391; 1897, 423; 1900, 280. (See 1887, 214 §§ 77–88, 91, 92; 1888, 321, 429 § 13; 1889, 356, 427, 452; 1890, 197, 199, 304, 310, 321, 329; 1891, 275, 368, 403; 1892, 129; 1893, 303; 1894, 522 §§ 77–91; 1896, 286; 1898, 45; 1900, 261.)

Certain foreign corporations may hold real estate. St. 1888, 321; 1895, 387. (See 1884, 330.)

Penalties for fraud of officers and stockholders extended to foreign corporations doing business here. St. 1895, 157. And liability for debts and contracts. St. 1896, 391.

Issuing obligations to be redeemed in numerical or arbitrary order of precedence, is prohibited. St. 1891, 382.

Provision for insolvency proceedings by or against certain foreign corporations. St. 1890, 321.

Laws relative to composition in insolvency apply to Massachusetts stock corporations. St. 1897, 247.

Safe deposit, loan and trust companies are subject to the duties, restrictions and liabilities set forth in this chapter. St. 1888, 413. (See 1887, 89, 225; 1889, 342, 452; 1890, 315; 1892, 327; 1893, 114; 1894, 274; 1896, 423; 1899, 348; 1900, 257.)

SECT. 2. See St. 1883, 100.

SECT. 8 is amended. St. 1898, 336.

SECTS. 14, 15 are repealed, but officers may be removed for previous violations of section 14. St. 1889, 222.

SECTS. 18, 19 are repealed, and the issue of stock or scrip dividends by certain corporations is prohibited. St. 1894, 350.

SECT. 20. Issue of new stock and bonds by certain quasi-public corporations regulated. St. 1886, 346 § 3; 1887, 366; 1894, 450, 452, 462, 472, 476, 501, 502, 543; 1896, 409, 473, 544 § 3; 1897, 337.

SECT. 21. Stockholder may require list of stockholders filed in office of secretary of the Commonwealth. St. 1889, 222 § 3.

SECT. 24. No record is necessary for the transfer of stock. St. 1884, 229.

SECT. 28. See St. 1884, 268, 330; 1888, 321; 1889, 393; 1890, 321; 1894, 384.

SECTS. 41-44. See St. 1898, 502 § 2.

SECT. 42. The time limit is stricken out. St. 1884, 203. Attachment of property is dissolved by appointment of receiver. St. 1898, 420. A trust company may be appointed receiver. St. 1899, 348.

Certain claims shall be preferred in settlements by receivers. St. 1897, 400. (See 1900, 381.)

Chapter 106. — Of Manufacturing and Other Corporations.

Corporations created under this chapter may issue special stock, to be held by their employees only. St. 1886, 209.

Manufacturing corporations may support free beds in hospitals for use of their employees. St. 1889, 258.

SECTS. 3, 4, 51. Corporations governed by these sections may change their business under section 51. St. 1885, 310. (See 1898, 503, 504.)

SECT. 6 *et seq.* Corporations to examine and guarantee titles of real estate are authorized and regulated. St. 1884, 180; 1887, 214 §§ 62, 63. And for the cremation of the dead. St. 1885, 265. (See 1886, 101 § 4; 1888, 306 § 2; 1898, 437.)

SECT. 7 revised. St. 1899, 199 § 1.

SECTS. 7, 8, 13, 14. Par value of shares regulated. St. 1894, 500; 1898, 503 § 2.

SECT. 11 extended to hydrostatic and pneumatic pressure for mechanical power. St. 1891, 189; 1893, 397.

SECTS. 11, 52, 75 extended to gas for heating, cooking, chemical and mechanical purposes. St. 1885, 240.

SECT. 13 extended to include buildings for manufacturing and mechanical purposes. St. 1888, 116.

SECT. 17. Method established for change of name of corporations subject to provisions of chapters 82, 106-119, and acts amendatory thereof. St. 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523. (See 1891, 257.)

SECT. 26. Provisions as to treasurers' bonds. St. 1896, 346.

SECT. 27. Clause as to proxy or attorney casting more than fifty votes is repealed. St. 1888, 188. (See 1889, 222.)

SECT. 31. See St. 1898, 503 § 1.

SECT. 34 *et seq.* Increase of stock regulated. St. 1886, 346 § 3; 1887, 366; 1894, 350, 450, 452, 462, 472, 476, 501, 502, 543; 1896, 409, 473, 544 § 3; 1897, 337; 1899, 199 § 2. (See 1890, 371.)

SECTS. 39-41 are repealed. St. 1894, 472.

SECT. 50. Certain foreign corporations may hold real estate here. St. 1888, 321; 1895, 387. (See 1884, 330.)

SECTS. 51, 52. Gas companies may be authorized to furnish electric light and power. St. 1887, 385. (See 1885, 240.) Fee for filing certificate fixed. St. 1895, 169. (See 1896, 523.)

SECT. 54 extended to foreign corporations having usual places of business in this Commonwealth. St. 1891, 341; 1894, 541; 1895, 157, 311. (See 1884, 330; 1900, 261, 280.)

SECTS. 54, 55, 59, 81, 82, 84. All corporations with certain exceptions are subject to these sections and must make the certificates and return therein required. St. 1887, 225; 1890, 199; 1891, 341; 1894, 541; 1895, 157, 311; 1896, 369. (See 1884, 330; 1889, 224.) Auditors provided for. St. 1897, 492; 1898, 64.

Any stockholder may require a list of stockholders to be filed. St. 1889, 222 § 3.

The certificates are deemed to be recorded by the act of filing. They are to be preserved in book form. St. 1890, 199.

SECT. 59 is amended. Changes in par value of shares and in business must be approved by commissioner of corporations. St. 1898, 503, 504.

SECT. 60 is amended. A sixth clause added. St. 1898, 266.

SECTS. 60-71 apply to foreign corporations. St. 1896, 391; 1897, 423. (See 1895, 311; 1897, 247; 1900, 261.)

SECTS. 62-71 apply to mortgage loan and investment, and safe deposit, loan and trust companies. St. 1888, 387 § 11, 413 § 14.

SECTS. 75, 76 amended. St. 1896, 544.

SECT. 75 *et seq.* A board of gas and electric light commissioners is established and the business of the companies is regulated. St. 1885, 240, 314; 1886, 250, 346; 1887, 382, 385; 1888, 350, 428; 1889, 169, 373; 1890, 252; 1891, 370; 1892, 67, 259, 263, 274; 1893, 454; 1894, 182, 299, 316, 327, 432, 448, 450, 501, 533, 538; 1895, 228, 330, 350, 420; 1896, 356, 426, 473, 480, 544; 1898, 499. (See 1891, 189; 1894, 503; 1898, 366.) Actions of tort authorized against gas and electric light companies for loss of life by negligence. St. 1897, 416.

Pneumatic pressure is included. St. 1896, 544.

SECT. 81. See St. 1891, 341; 1894, 541; 1897, 492.

SECT. 84. Fee for filing and recording certificates changed. St. 1895, 169; 1896, 523.

Chapter 107.—Of Swine Slaughtering Associations.

SECT. 2 is amended. St. 1886, 101 § 4. (See 1891, 360; 1892, 198, 201; 1896, 523; 1898, 433 § 28.)

Chapter 108.—Of Canal and Bridge Corporations.

See St. 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.

Chapter 109.—Of Companies for the Transmission of Intelligence by Electricity.

This chapter, except sections 16 and 18, applies to lines for electric light. St. 1883, 221. (See 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.)

The erection and use of telegraph and telephone wires are regulated. St. 1884, 302, 306; 1885, 267, 380; 1889, 398, 434; 1890, 404; 1893, 274; 1895, 228, 350. (See 1888, 350.) And wires for electric lighting. St. 1883, 221; 1885, 314; 1887, 382, 385; 1891, 370; 1892, 274; 1893, 454; 1894, 182, 299, 316, 327, 432; 1895, 228, 330, 420; 1896, 356, 426, 473, 480, 544; 1899, 320, 337. (See 1890, 371; 1894, 450, 476, 501; 1896, 473; 1897, 416; 1899, 365.)

Provisions for security against accidents from electric wires. St. 1890, 404; 1895, 228; 1898, 268; 1899, 320, 337.

Action of tort authorized against electric light company for loss of life by negligence. St. 1897, 416.

SECT. 4 amended. Abutters may have damages for erection or alteration of telegraph, telephone and electric light and power lines along highways. St. 1884, 306. (See 1884, 302.)

SECT. 7. At least half must be paid in in cash. St. 1893, 274.

New issue of stock and bonds regulated. St. 1894, 452, 472. Stock or scrip dividends prohibited. St. 1894, 350.

SECT. 10. Telephone companies must furnish service without discrimination. St. 1885, 267.

Telegraph companies are made liable to amount of \$100 for damages caused by negligence in transmitting messages. St. 1885, 380.

SECTS. 12, 15. Wires may not be put on another's property without his consent. St. 1884, 302. (See 1884, 306.)

SECT. 16. See St. 1895, 330.

Chapter 110. — Of Aqueduct Corporations.

See St. 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.

Payment and returns of capital stock regulated. St. 1894, 380.

SECT. 2 is amended. St. 1897, 496 § 6. (See 1898, 168.)

SECTS. 7, 8 are repealed and issue of stock and bonds regulated. St. 1894, 452, 472, 476. (See 1894, 350.)

Chapter 111. — Of Proprietors of Wharves, General Fields and Real Estate Lying in Common.

SECT. 4 is amended. A sworn return is required. St. 1897, 496 § 7. (See 1891, 360; 1892, 198; 1896, 523.)

Chapter 112. — Of Railroad Corporations and Railroads.

See St. 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.

The operation of railroads by electricity is authorized. St. 1892, 110.

State inspection of tracks, equipment, etc., is provided for. St. 1894, 535.

Railroad corporations are required to issue mileage tickets which shall be accepted on all railroad lines in the State. St. 1892, 389. (See 160 Mass. 62.)

The issuing of tickets free or at less than usual rates to members of the legislature, the executive, the judiciary and certain others is forbidden. St. 1892, 59.

Railroad companies may join relief societies of employees. St. 1886, 125. (See 1882, 244; 1887, 270 § 6; 1890, 181.)

Provision for elevated railways in and near Boston. St. 1894, 548, 550; 1897, 500. (See 1890, 368.)

Provision for compensation for joint occupancy of stations and grounds. St. 1893, 142. (See 1896, 516; 1898, 248; 1899, 386.)

Conditional sales and leases of equipment and rolling stock are regulated. St. 1894, 326. Leases and consolidations must be approved by railroad commissioners. St. 1894, 506.

SECTS. 7, 8. See St. 1897, 500 § 19.

SECT. 9. Assistant clerk allowed. St. 1895, 313.

SECTS. 10-12. Salaries fixed: Commissioners; St. 1900, 406. Clerk; St. 1885, 119. Assistant clerk; 1895, 313. Accountant; 1885, 164. Salaries are to be paid monthly. St. 1885, 224. Allowance made for books, maps and incidentals. St. 1890, 200. (See 1894, 535 § 8; 1896, 302; 1897, 376 § 4.)

SECT. 14. Powers of the commissioners increased. St. 1882, 162, 265 § 1; 1883, 117; 1885, 110, 334; 1886, 120; 1888, 240; 1890, 382; 1891, 129, 204; 1892, 171, 228; 1893, 142, 210 § 2, 315; 1894, 41, 462, 469, 472, 502, 506, 535, 543; 1895, 136, 316, 362, 378. (See 1896, 409; 1898, 366.)

They may authorize running of steamboats on Sundays. St. 1897, 389. (See 1887, 391 § 3.)

SECTS. 21, 26. Returns and statements regulated. St. 1889, 328; 1893, 131. (See 1889, 241.)

SECT. 34. The commissioners must certify that public convenience and necessity require the construction, before organization of a railroad company under the general law. St. 1882, 265, § 1.

SECT. 38 *et seq.* No steam railroad may be located within three miles of the State House except on certain conditions. St. 1882, 265 § 4. (See 1884, 279.)

Railroad corporations may change their locations to improve the alignment of their roads. St. 1887, 430. (See 1882, 149; 1884, 134.)

SECTS. 42-44. See St. 1898, 578 § 27.

SECT. 44. The proceedings are void unless certificate of incorporation is issued within one year from the time when the route is fixed. St. 1882, 265 § 2.

SECT. 52. Street railways shall be subject to provisions of this section. St. 1897, 99. (See 1898, 417.)

SECT. 54. Clause prohibiting the casting of more than fifty votes by a proxy or attorney is repealed. St. 1888, 188. (See 1889, 222.)

SECT. 56. Delivery of written transfer sufficient. St. 1884, 229.

SECTS. 58, 59, 60. Issue of capital stock and bonds regulated. St. 1887, 366; 1894, 462, 472, 502; 1897, 337. (See 1893, 315; 1894, 476.) Stock or scrip dividends prohibited. St. 1894, 350.

SECT. 62. The bonds may run fifty years. St. 1887, 191. (See 1883, 7.)

SECTS. 62-73. A purchaser under a valid foreclosure and his grantees and successors have the same powers and duties as the original corporation. St. 1886, 142.

SECTS. 63-70. Street railway companies may issue bonds, and these sections shall apply. St. 1889, 316; 1892, 192. (See 1897, 337.)

SECTS. 81 *et seq.* Returns and statements regulated. St. 1889, 328; 1893, 131. (See 1889, 241.)

SECT. 82 is applied to street railway companies. St. 1892, 254.

SECT. 89. Time of notice to and filing of location by railroad corporations under St. 1878, 135 § 1, is changed. St. 1882, 149. (See 1896, 78.)

SECT. 91 is revised. Land may be taken outside of the location for one or more tracks, subject in some cases to certain conditions. St. 1884, 134. (See 1882, 149; 1887, 430.) Locations of lands purchased may be filed. St. 1895, 356; 1896, 78.

SECT. 115. The power to exempt from the duty to fence is transferred to the railroad commissioners. Proceedings to revoke exemptions regulated. St. 1882, 162.

SECT. 116. See St. 1898, 562 § 78.

SECT. 117 *et seq.* No right of way across any railroad track or location in use for railroad purposes shall be acquired by prescription. St. 1892, 275. Crossing tracks at grade by street railway restricted. St. 1895, 426. (See 1898, 404.)

SECTS. 117-138. Wood which obstructs view at crossing may be cut. St. 1889, 371. These sections are not affected by St. 1891, 170.

Provision is made for the abolition of grade crossings. St. 1885, 194; 1887, 295; 1890, 428; 1891, 33, 123, 262; 1892, 312; 1893, 424; 1894, 216; 1895, 103, 426; 1896, 439; 1897, 264; 1898, 200, 404, 538; 1900, 463. (See 1882, 135; 1890, 382; 1891, 170 § 5; 1892, 178, 228; 1893, 283; 1894, 545; 1895, 491; 1900, 84.)

Railroad companies must maintain crossings to give access to lands cut off by their road-beds. St. 1892, 171.

SECTS. 127, 169. The commissioners may forbid or regulate the occupation of street crossings. St. 1885, 110; 1890, 382; 1892, 228; 1895, 426.

SECTS. 128, 148, 160. Provision is made for examination of railroad bridges. St. 1887, 334. (See 1899, 286.) And tracks, equipments, etc. St. 1894, 535; 1897, 376.

SECTS. 129-132 amended. St. 1885, 194; 1887, 295. (See 1882, 135.)

SECTS. 129-134. P. S., ch. 51, applies to alterations of ways at railroad crossings. St. 1884, 280. (See 1890, 428 § 12.)

SECT. 131 amended. St. 1885, 194 § 4; 1887, 295. (See 1890, 428 § 12; 1893, 283; 1894, 545; 1895, 103; 1896, 439; 1897, 264.)

SECT. 138. Appeal provided from decision of the county commissioners. St. 1882, 135. (See 1885, 194 § 6; 1890, 428 § 12; 1892, 171.)

SECT. 139. Clause forbidding branches within eight miles of the State House is stricken out. St. 1884, 279. (See 1882, 265 § 4.)

SECT. 148. Railroad drawbridges over Charles river regulated. St. 1889, 246; 1890, 118. (See 1887, 334.)

SECTS. 148-150. Extended to drawbridge over Fort Point channel in Boston. St. 1893, 357.

SECTS. 156, 157. See St. 1893, 142; 1896, 516; 1898, 248.

SECT. 159. Frogs, switches and guard rails must be blocked to the approval of the railroad commissioners. St. 1886, 120; 1894, 41.

SECT. 160. See St. 1887, 334.

SECT. 161. Provision made for interlocking or automatic signals at railroad crossings. St. 1885, 85. (See 1888, 240.)

SECT. 163 *et seq.* The commissioners may forbid or regulate locomotive whistles at highway crossings. St. 1885, 334. (See 1890, 173.) And may recommend changes in making up freight trains and sounding whistles. St. 1891, 204. (See 1891, 129.)

At least three separate and distinct blasts of the whistle are required at crossings. St. 1890, 173.

SECTS. 164-166. The railroad commissioners may require gates, flags or electric signals at highway crossings. St. 1883, 117; 1888, 240. And signals at crossings above grade. St. 1891, 129. (See 1892, 228.)

SECT. 169 is extended to receivers and assignees of railroad corporations. St. 1895, 173.

SECT. 170. Locomotive boilers must be tested. St. 1882, 73.

Certain safety appliances are required on freight cars. St. 1884, 222; 1895, 362. (See 1886, 242; 1894, 59; 1897, 491.)

SECT. 171. Additional tools and safeguards against fire required. St. 1882, 54. (See 1887, 362; 1891, 249.) And platform gates. St. 1900, 223.

SECT. 172. The heating of passenger cars is regulated. St. 1887, 362; 1891, 249.

SECT. 179 is amended. St. 1883, 125.

SECT. 180. Interchangeable mileage tickets are required. St. 1892, 369. Act relative to railroad fares in suburban district of Boston. St. 1900, 895. (See 1900, 298.) Extra fare paid on trains regulated. St. 1883, 32; 1900, 154.

SECTS. 181-182. Railroad corporations shall not require women or children to ride in smoking cars. St. 1888, 176. A car in motion is a train under St. 1887, 270 § 1. cl. 3. St. 1897, 491.

SECT. 183 is extended. St. 1900, 298. (See 1900, 395.)

SECT. 187 *et seq.* Transportation and delivery of intoxicating liquors in no-license towns regulated. St. 1897, 271. Bicycles are to be transported as baggage under certain conditions. St. 1900, 318.

SECT. 188. Extended to freight charges. St. 1882, 225. (See 1882, 94.) And to express business on railroad and steamboat lines. St. 1894, 469.

SECTS. 192-194 are revised. St. 1893, 210.

SECT. 195 *et seq.* As to railroad police, see St. 1883, 65; 1896, 225; 1898, 282.

SECT. 204. The maximum penalty for placing obstructions on railroad tracks is increased. St. 1890, 332.

SECT. 205. The unlawful use, removal or tampering with the tools, etc., required to be carried on passenger trains is made an offence. St. 1882, 54 § 2.

SECT. 206. See St. 1895, 318.

SECT. 207 amended. St. 1884, 5; 1899, 252.

SECTS. 210-213. See St. 1900, 282.

SECT. 212. Employees are included under this section. St. 1883, 243. They may sue for damages. St. 1887, 270; 1888, 155; 1892, 260; 1893, 359; 1894, 389, 499; 1897, 491; 1900, 446. (See 1883, 243; 1888, 365; 1889, 154; 1894, 469 § 3; 1895, 362 § 7; 1896, 302.)

SECT. 214 is amended. St. 1895, 293.

SECT. 216. See St. 1893, 142.

SECTS. 223, 224. When their consent is required the commissioners may regulate tracks at crossings by a railway for private use. St. 1890, 382.

Chapter 113. — Of Street Railway Companies.

Provision for extension of franchises of street railway companies. St. 1896, 501.

The law as to street railways is revised. St. 1898, 578. (See 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523; 1898, 328, 404, 417; 1900, 381.)

Street railway companies shall be subject to provisions of Pub. St., ch. 13 §§ 38-41, 53-66. St. 1898, 417. (See 1899, 117.)

Provision for sale by receivers of property, locations and franchises of street railway companies. St. 1900, 381.

Provisions for contracts or leases between companies for transportation over connecting lines. St. 1897, 213. And for purchase and consolidation of lines. St. 1897, 269. (See 1897, 500.)

Provision for rapid transit in Boston and vicinity. St. 1893, 481; 1894, 548; 1895, 440; 1896, 492; 1897, 500. (See 1890, 368; 1891, 365; 1892, 424; 1896, 516; 1898, 578.)

This chapter applies to companies using the cable system. St. 1886, 337 § 4.

Liability for injuries regulated. St. 1886, 140; 1887, 270; 1888, 155, 365; 1889, 154; 1892, 260; 1893, 359; 1894, 499; 1895, 362 § 7; 1896, 302; 1897, 491; 1898, 578 § 11; 1900, 446.

An action of tort may be brought against a street railway corporation for loss of life. St. 1886, 140.

Street railway companies may issue mortgage bonds in certain cases and Pub. St., ch. 112 §§ 63-70, apply. St. 1889, 316; 1892, 192.

They may join relief societies of employees. St. 1890, 181. (See 1882, 244; 1886, 125; 1887, 270 § 6.)

May acquire and hold real estate for pleasure resorts. St. 1895, 316. And for avoiding grade crossing with railroads. St. 1898, 404.

Conditional sales and leases of rolling stock regulated. St. 1894, 326. Leases and consolidations must be approved by railroad commissioners. St. 1894, 506. (See 1897, 213.)

A day's work for certain employees defined. St. 1894, 508 § 9. (See 1893, 386; 1900, 469.)

SECTS. 2-6. See St. 1898, 578 § 13.

SECTS. 7, 21-24, 32, 44, 45 are repealed. St. 1898, 578 § 26. Metropolitan park commissioners may grant locations over parkways, etc. St. 1900, 413.

SECT. 8 amended. St. 1898, 578 § 27.

SECT. 10. Street railway companies shall be subject to provisions of Pub. St., ch. 112 § 52. St. 1897, 99.

SECT. 12. Clause as to proxy, etc., casting more than fifty votes repealed. St. 1889, 210. (See 1888, 188; 1889, 222.)

SECTS. 13-18. Further provisions made as to increase and reduction of capital stock, and issue of bonds. St. 1886, 337 § 3; 1887, 366; 1890, 326; 1894, 462, 472, 476, 543; 1895, 316 § 3; 1896, 409; 1897, 337. (See 1893, 315.) Stock or scrip dividends prohibited. St. 1894, 350.

SECT. 15 amended. St. 1887, 366; 1896, 409.

SECT. 16 repealed. St. 1898, 315. But see St. 1894, 472 § 3.

SECT. 19 *et seq.* See St. 1890, 368; 1894, 548, 550.

SECT. 22 extended to Massachusetts highway commission. St. 1896, 541.

SECT. 27. This section is repealed as to removal of ice and snow. St. 1898, 578 § 26.

SECT. 30 *et seq.* Children under ten shall not be permitted to enter cars to sell newspapers, etc. St. 1889, 229.

Fenders and wheel guards provided for. St. 1895, 378. (See 1890, 364; 1891, 366.) Enclosed platforms. St. 1897, 452; 1900, 414. Street railway police. St. 1895, 818. (See 1896, 225.) Street sprinklers. St. 1897, 315. Inspection of tracks, equipments, etc. St. 1897, 376. Bridges for street railways. St. 1899, 286. (See 1898, 404, 578 § 15.) The company shall not require a bond from an employee to secure it against liability for his negligence. St. 1900, 282.

SECT. 32 is repealed. St. 1898, 578 § 26.

SECT. 39. Cable system may be used. St. 1886, 337. (See 1887, 413 § 4; 1888, 278.) Electric system authorized in Boston. St. 1887, 413 § 4; 1890, 454 § 12. Elevated railway authorized. St. 1890, 368; 1894, 548; 1897, 500. Street cars may be used for carrying snow, ice, gravel, street sweepings, etc. St. 1898, 328. (See 1898, 578 §§ 12, 18.)

SECTS. 40, 41. Street railways shall not cross railroads at grade unless by consent of the railroad commissioners or special commissioners. St. 1895, 426. (See 1885, 110; 1890, 382; 1892, 228; 1898, 404.)

SECT. 43. Railroad commissioners may require additional accommodations for the travelling public. St. 1891, 216. Shall require cars to be heated at certain times. St. 1895, 136.

SECT. 46 *et seq.* See St. 1887, 413; 1890, 454. Free transfer checks may not be discontinued without consent of railroad commissioners. St. 1894, 388. Fares for transportation of school children regulated. St. 1900, 197.

SECT. 48 *et seq.* One company may not use tracks of another company unless authorized by the railroad commissioners. St. 1888, 278. (See 1886, 337 § 2; 1887, 413; 1894, 506; 1896, 501; 1897, 213, 269.)

SECT. 58. Companies are required to contribute to expense of printing and binding their annual returns. St. 1892, 254.

SECT. 63. Superior court given concurrent jurisdiction. St. 1891, 293.

Chapter 114. — Of Agricultural and Horticultural Societies.

Corporations organized under this chapter may be authorized to improve public grounds. St. 1885, 157. (See 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523; 1897, 254.)

Inspection of concentrated commercial feed stuffs is provided for. St. 1897, 117.

Provision is made for a bounty for sugar from beets or surghum cane. St. 1883, 189. And for bounties to chartered poultry associations. St. 1895, 351.

"Arbor day" established. Res. 1886, 32.

SECT. 1. The restriction is modified. St. 1890, 297.

An agricultural society receiving a bounty can sell or mortgage its real estate only on certain conditions. St. 1890, 274.

SECT. 2. Time of filing certificate changed. The board may require other returns. St. 1891, 124.

SECT. 18 is amended. A sworn return is required. St. 1897, 496 § 8.

SECT. 20 *et seq.* Entering or driving a horse that is disguised or different from the one purported to be entered, etc., to compete for a purse or premium is punishable. St. 1892, 167.

Provision made for assignment of police officers at exhibitions. St. 1892, 180.

Registration of pedigrees of horses used for breeding purposes provided for. St. 1890, 334. (See 1887, 143; 1900, 409.)

Chapter 115. — Of Associations for Charitable, Educational and Other Purposes.

Provision for change of purpose of incorporation. St. 1898, 504.

Provision made for incorporation of labor and trade organizations. St. 1888, 134. (See 1892, 330.) And textile schools. St. 1895, 475; 1899, 299.

And for formation of relief societies of railroad, steamboat and street railway employees, in which the companies may join. Their funds are not attachable. St. 1882, 244; 1886, 125; 1890, 181. (See 1887, 270 § 6; 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.)

The consolidation of masonic mutual relief associations is authorized. St. 1887, 140.

The incorporation of clubs is regulated. St. 1890, 439; 1893, 226; 1894, 542. (See 1887, 206.)

No corporation organized for medical purposes under this chapter shall confer degrees. St. 1883, 268. (See 1893, 355.)

The provisions of this chapter apply to churches incorporated under St. 1887, 404.

Provision for sale of church and trust property by order of supreme judicial court. St. 1897, 462.

SECTS. 2, 7. See St. 1896, 96; 1897, 97. Provision to authorize maintenance of racing grounds. St. 1900, 409.

SECT. 3. Increase of stock and par value of shares regulated. St. 1888, 177; 1890, 191. (See 1888, 429.)

SECTS. 3-5. Corporations may be formed for life and casualty insurance on the assessment plan. St. 1890, 421; 1892, 435; 1894, 367; 1895, 104, 281, 340; 1899, 229, 472. (See 1885, 183; 1887, 214 §§ 2, 3; 1888, 429; 1898, 502; 1899, 164.)

SECTS. 8-12 repealed, and law as to fraternal beneficiary organizations revised. St. 1894, 367; 1895, 104, 340; 1898, 474; 1899, 442. (See 1882, 195; 1884, 330; 1885, 183; 1887, 140; 1888, 429; 1890, 341, 400, 421; 1891, 163, 257, 360; 1892, 40, 198, 201, 435; 1893, 47, 321, 418; 1894, 60, 328, 381, 522 § 3; 1895, 104, 281; 1896, 102, 136, 515, 523; 1897, 228; 1898, 423 § 28; 1899, 229.)

Chapter 116. — Of Savings Banks and Institutions for Savings.

This chapter is repealed and the laws relating to institutions for savings are revised and consolidated. St. 1894, 317; 1895, 164; 1896, 178, 193, 231, 327, 361; 1897, 109, 262, 362; 1898, 148, 184, 425 § 6, 433 § 28, 567; 1899, 215, 269, 348 §§ 5, 6. (See 1882, 50, 77, 148, 200; 1883, 52,

127, 134, 248, 258; 1884, 72, 150, 168, 253; 1885, 92, 111, 124, 210, 348; 1886, 69, 77, 93, 176, 252, 300; 1887, 113, 196, 319; 1888, 40, 51, 53, 90, 96, 120, 127, 170, 213, 250 § 2, 301 § 6, 355; 1889, 77, 86, 88, 91, 161, 180, 303, 321, 449, 452; 1890, 44, 168, 222, 243, 298, 330, 369, 394, 406; 1891, 171, 360, 403; 1892, 198, 201, 248; 1893, 174, 230, 254; 1895, 104; 1896, 171, 523; 1898, 366, 420.)

Provisions as to bonds of officers and employees. St. 1896, 361; 1898, 247 § 1.

Additional expert and clerical assistance provided for. St. 1895, 66. (See 1897, 362.)

Occupation of same rooms by savings banks and national banks restricted. St. 1898, 567.

Chapter 117.—Of Co-operative Savings Fund and Loan Associations.

The title of this chapter and name of associations changed to "Co-operative Banks." St. 1883, 98. (See St. 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.) Certain loan companies exempted from procuring local licenses. St. 1899, 261.

The business of co-operative banking is regulated. St. 1882, 251; 1883, 98; 1885, 121; 1887, 216; 1889, 159, 452; 1890, 63, 78, 243, 310; 1891, 403; 1894, 342; 1895, 171, 172; 1896, 277, 285, 286, 327, 361; 1897, 161; 1898, 247; 1900, 249, 273.

The business may not be carried on here in name of a co-operative bank unless incorporated here. St. 1889, 452; 1896, 286. (See 1890, 310; 1891, 403.)

Provisions as to bonds of officers and employees. St. 1896, 361; 1898, 247 § 1.

The capital stock, corporate franchise and personal estate of co-operative banks are exempted from taxation. St. 1890, 63.

SECT. 1. The consent of the savings bank commissioners is required for the formation of co-operative banks. St. 1890, 243.

SECT. 5. Co-operative banks must provide a guaranty fund. St. 1885, 121 § 2.

The limit of capital refers to the capital paid in on shares. St. 1887, 216 § 1.

SECT. 6. One person may be secretary and treasurer. St. 1885, 121 § 1.

SECT. 8. The mode of retiring shares is determined and their value. St. 1887, 216 § 2. (See 1882, 251.)

SECT. 9 is revised. St. 1898, 247 § 3. (See 1882, 251 § 1; 1887, 216 § 5.)

SECT. 10 is revised. St. 1896, 277. (See 1890, 78.) Interest may be bid instead of a premium. St. 1882, 251 § 2.

SECT. 13 is amended and new provisions made as to the security. St. 1889, 159 § 1; 1894, 342. (See 1896, 277.)

SECT. 14. Provision for partial payments. St. 1887, 216 § 4.

SECT. 15. Fines limited. St. 1895, 172. Withdrawal value to be ascertained at time of forfeiture, instead of time of default. St. 1896, 285.

SECT. 16 is revised. St. 1882, 251 § 1; 1885, 121 § 4.

SECT. 17. As to officers' bonds, see St. 1896, 361; 1898, 247 § 1.

SECT. 18. See St. 1885, 121 § 2; 1900, 273.

SECT. 19 is revised. St. 1900, 214. (See 1898, 247 § 2.)

SECT. 20. See St. 1889, 159 § 2; 1891, 403; 1895, 171; 1896, 286, 327.

Chapter 118. — Of Banks and Banking.

Foreign banking corporations doing business here shall indicate on their signs, letter heads, etc., the name of the State or country in which they are chartered. St. 1890, 329. (See 1891, 360; 1892, 198, 201; 1895, 104; 1896, 523.)

The incorporation and conduct of safe deposit, loan and trust companies are regulated. St. 1887, 89; 1888, 413; 1889, 342, 452; 1890, 315, 329; 1892, 327; 1893, 114; 1894, 274; 1896, 423; 1897, 304; 1898, 425 § 6; 1899, 261, 467; 1900, 257. (See 1887, 225; 1896, 369; 1898, 433 § 28; 1900, 371.) A trust company may be appointed executor or in other fiduciary capacity. St. 1899, 348.

And of mortgage loan and investment companies. St. 1888, 387; 1889, 427, 452; 1890, 329; 1891, 233, 275, 341; 1893, 303; 1895, 311. (See 1896, 391; 1897, 423.)

A commissioner of foreign mortgage corporations is established. St. 1889, 427; 1891, 275; 1893, 303.

The occupation of same rooms by national banks and savings banks is restricted. St. 1898, 567.

SECT. 30 *et seq.* An act relative to negotiable instruments. St. 1898, 533. Days of grace allowed on sight drafts. St. 1899, 130. (See 1885, 210; 1894, 333, 427; 1895, 201, 415; 1896, 228, 496.)

SECT. 104. See St. 1900, 371.

Chapter 119. — Of Insurance Companies and Insurance.

This chapter is repealed and the insurance laws revised and codified. St. 1894, 522; 1895, 46, 59, 81, 104, 159, 190, 263, 271, 366, 474; 1896, 124, 126, 137, 140, 171, 253, 270, 335, 402, 447, 448, 470, 515; 1897, 62, 63, 64, 65, 66, 67, 118, 186, 197, 357; 1898, 53, 54, 178, 380, 474, 537; 1899, 164, 229, 364, 472; 1900, 92, 183, 363. (See 1882, 195; 1883, 33, 107, 126, 235, 258; 1884, 55, 58, 119, 120, 177, 178, 180, 217, 235, 296; 1885, 183, 241, 300, 308, 354; 1886, 187, 222; 1887, 214, 283; 1888, 84, 141, 151, 154, 165; 1889, 356, 378; 1890, 26, 247, 304; 1891, 195, 233, 289, 291, 360, 368, 382; 1892, 47, 198, 201, 372; 1893, 54, 117, 224, 401 § 1, 434; 1894, 19, 103, 120, 133, 137, 147, 225, 300, 381, 442, 444 § 7; 1895, 104, 281; 1896, 178, 523; 1898, 45, 148, 160, 184, 366, 420, 425 § 6; 1899, 417.)

Insurance against loss by bombardment is authorized. St. 1898, 380. Insurance against burglary and theft. St. 1900, 92. Health insurance. St. 1900, 183.

An act to prevent over-insurance. St. 1898, 571.

An act relative to reinsurance contracts. St. 1898, 537.

Standard form of fire policy. St. 1894, 522 § 60; 1895, 59 §§ 3, 4. (See 1896, 140.)

Employment of an actuary authorized. St. 1895, 81. And an examiner. St. 1896, 335.

No life policy shall be issued without previous examination by a registered physician. St. 1895, 366. (See 1894, 522 §§ 68-73.)

Disposal of certain unclaimed funds of insolvent companies regulated. St. 1890, 330. (See 1883, 258; 1886, 300.)

Agents of domestic companies must be registered. St. 1895, 46; 1897, 64.

SECT. 2. Salary of insurance commissioner established. St. 1890, 247; 1894, 522 § 4.

SECT. 29. See St. 1894, 133 § 2.

SECTS. 117 to 130 apply to existing mutual marine and fire and marine companies. St. 1894, 522 § 53.

SECT. 145. Life and casualty insurance on the assessment plan is regulated. St. 1890, 421; 1892, 435; 1898, 474; 1899, 164, 229, 472. (See 1885, 183; 1892, 201; 1894, 367; 1896, 515.)

Moneys to be paid by life or casualty insurance companies doing business on the assessment plan are made not attachable. St. 1890, 421 § 23. (See 1885, 183 § 11; 1887, 214 § 73; 1892, 372.)

The organization and business of fraternal beneficiary associations are regulated. St. 1894, 367; 1895, 104, 340; 1898, 474; 1899, 442, 468; 1900, 185. (See 1882, 195; 1885, 183; 1887, 140, 214; 1888, 429; 1890, 341, 400, 421; 1891, 163, 233, 360; 1892, 40, 198, 201, 435; 1893, 47, 321, 418; 1894, 60, 328, 522 § 3; 1895, 104, 281; 1896, 102, 136, 515, 523; 1897, 228; 1898, 433 § 28; 1899, 229; 1900, 454.)

SECT. 186. Certain veterans exempted from payment of fees for certificate to act as insurance broker. St. 1895, 159. (See 1894, 522 § 93; 1895, 59 § 2; 1896, 448.)

SECT. 201. See St. 1887, 214 § 80; 1889, 356; 1891, 195; 1894, 522 § 80; 1895, 474 § 2.

Chapter 120.—Of the Alienation of Real Estate.

Acts to provide for registering and confirming titles to land. St. 1898, 562; 1899, 120, 125, 131; 1900, 116, 354.

SECT. 1 *et seq.* The recording of an instrument affecting title is made conclusive evidence of delivery. St. 1892, 256. (See 1898, 562 § 19.)

An act to simplify the proof of attested instruments. St. 1897, 386.

Form of execution and acknowledgment of deeds, etc., established. St. 1894, 253; 1895, 460.

A conveyance otherwise valid shall be effectual notwithstanding disseizin or adverse possession. St. 1891, 354. (See 1898, 514.)

SECT. 4. Office copies of records may be recorded in another county or district where part of the land lies. St. 1889, 448.

A mortgage is declared invalid against an assignee in insolvency in certain cases. St. 1888, 393.

SECT. 6. Authority of magistrates out of the State must be properly certified to. St. 1894, 253 § 3.

SECT. 15. Provision for construction of words importing a want or failure of issue. St. 1888, 273.

SECT. 19 *et seq.* Sale of estate subject to vested remainder may be authorized. St. 1895, 183; 1897, 136.

Additional provisions for appointment of guardians *ad litem* or next

friends of persons under disability or not ascertained. St. 1896, 456; 1897, 522.

SECT. 28. As to entries for breach of condition. See St. 1898, 514.

Chapter 121. — Of Estates for Years and at Will.

See land registration act. St. 1898, 562.

Chapter 122. — Of Easements.

No right of way across a railroad location in use for railroad purposes shall be acquired by prescription. St. 1892, 275. (See 1898, 562.)

Chapter 124. — Of the Rights of a Husband in the Real Estate of his Deceased Wife, and the Rights of a Wife in that of her Deceased Husband.

Distribution of estates regulated. St. 1900, 450.

SECTS. 1, 3, 14 are repealed, to take effect July 1, 1901. St. 1900, 450. (See 1899, 479; 1900, 174.)

Rights in tombs and burial lots defined. St. 1883, 262; 1885, 302; 1892, 165; 1899, 479 § 12; 1900, 450 § 9. (See 1885, 255 § 2.)

SECT. 6 is amended. St. 1885, 255; 1887, 290.

SECT. 13. See St. 1899, 479 § 4.

SECT. 17 is amended. St. 1889, 234; 1894, 170.

Chapter 125. — Of the Descent of Real Estate.

SECT. 1. See St. 1882, 141; 1899, 479 § 7; 1900, 174, 450.

SECTS. 3-5. See St. 1895, 427; 1896, 499; 1898, 562 §§ 92, 93.

SECT. 4. If the mother also is dead, the estate descends to the persons entitled by inheritance through her. St. 1882, 132. (See 1882, 141.)

Chapter 126. — General Provisions Concerning Real Estate.

Acts to provide for registering and confirming titles to land. St. 1898, 562; 1899, 120, 125, 131; 1900, 116, 354.

Conditions or restrictions affecting title or use of real estate, unlimited as to time, shall be construed as limited to thirty years except in certain cases. St. 1887, 418.

Provisions relative to entries for breach of conditions in deeds. St. 1898, 514.

Provision made for proceedings to determine validity, nature and extent of certain conditions, restrictions, etc., on real estate. St. 1889, 442; 1890, 427; 1897, 522; 1898, 457; 1899, 444. (See 1882, 237; 1885, 283; 1893, 340.)

Construction placed on words importing want or failure of issue. St. 1888, 273.

SECTS. 5, 6. A conveyance or device to a husband and wife creates a tenancy in common unless otherwise expressed. St. 1885, 237.

SECT. 13 extended to judgments and decrees. St. 1892, 289; 1898, 562 § 80. And to use or occupation of buildings on the real estate. St. 1897, 463.

SECT. 14. See St. 1898, 562 § 81.

Chapter 127. — Of Wills.

SECT. 7. See St. 1889, 435.

SECT. 8. Marriage shall act as a revocation, except in certain cases. St. 1892, 118.

SECT. 13. See St. 1898, 562 § 92.

SECTS. 18, 19 are repealed, to take effect July 1, 1901. St. 1900, 450. (See 1899, 479.)

SECT. 26. See St. 1891, 354.

SECT. 33. See St. 1883, 223.

SECT. 34 repealed so far as it applies to probate courts. St. 1891, 415.

Notice of petition regulated. St. 1899, 373.

Chapter 129. — Of the Probate of Wills and the Appointment of Executors.

A trust company may be appointed executor. St. 1899, 348.

Provision for appointment of a judge or register of probate as executor in certain cases. St. 1898, 69.

The probate of a will is made conclusive in certain cases after two years. St. 1889, 435.

SECTS. 1, 2. Petitions for probate must be sworn to by petitioner. St. 1891, 414.

SECT. 5. See St. 1893, 379; 1894, 527.

Chapter 130. — Of the Appointment of Administrators.

A trust company may be appointed administrator. St. 1899, 348.

SECTS. 1, 2. Petitions for letters testamentary must be sworn to by petitioner. St. 1891, 414. (See 1897, 447.)

Provision made for granting administration without notice in certain cases. St. 1885, 260. And to any suitable person. St. 1890, 265.

For appointment of a judge or register of probate as administrator in certain cases. St. 1898, 69.

A degree of intestacy is made conclusive in certain cases after two years. St. 1889, 435.

Provision for settlement of estates of persons who have been absent and unheard from for more than fourteen years. St. 1897, 447.

SECTS. 2, 8. Administrators may be allowed to give bond without sureties in certain cases. Failure to give a new bond when required shall be considered a resignation. St. 1885, 274. Failure to file bond within thirty days after appointment may be considered declination of the trust. St. 1898, 458. (See 1893, 379.)

SECT. 4. Administration may be granted for cause upon particular property more than twenty years after the person's death. St. 1889, 192. (See 1885, 242.)

SECT. 9. Administrator de bonis may be appointed to distribute unclaimed funds. St. 1890, 408 § 2.

SECTS. 10-17. Special administrator may be allowed to pay expenses of executor in proving the will. St. 1884, 291. (See 1884, 131.) And such debts of deceased as the probate court may approve. St. 1897, 199.

Acts relating to special administrators. St. 1898, 414; 1899, 301.

SECT. 13 is revised. St. 1899, 311.

Chapter 131. — Of Public Administrators.

SECT. 18. Time for presenting claims under this section limited. St. 1883, 264.

Chapter 132. — General Provisions relative to Executors and Administrators.

Provision for administration of estates of persons who have been absent and unheard from for more than fourteen years. St. 1897, 447.

Probate courts given jurisdiction in equity in administration of estates of deceased persons. Proceedings regulated. St. 1891, 415.

Executors or administrators may provide for perpetual care of burial lots. St. 1897, 321. May sue for damages for death of testator or intestate caused by negligence of a person or corporation or their employees. St. 1898, 565.

A judge of probate may be appointed in another county executor or administrator of a person deceased in his own county in certain cases. St. 1898, 69.

SECTS. 1-4. Provisions as to the proof of notice are revised. St. 1888, 148, 380; 1889, 315. (See 1888, 420.)

SECT. 6. One appraiser may be appointed when deemed advisable. St. 1897, 147. (See 1896, 210.)

SECTS. 8, 13. No foreign executor or administrator shall receive his letter until the appointment of resident agent is properly made. St. 1893, 118. (See 1889, 462; 1890, 420.)

Failure to file bond within thirty days may be considered a declination of trust. St. 1898, 458. And failure to file a new bond when required shall be considered a resignation. St. 1885, 274.

Provisions as to deposit of funds. St. 1885, 376; 1889, 185, 449 § 2; 1890, 408; 1899, 90.

Chapter 134. — Of Sales and Mortgages of Real Estate by Executors and Administrators.

Executors and administrators may be licensed to sell at private sale. St. 1886, 137. (See 1898, 562 § 93.)

Real estate appraised at \$1,500 or less may be sold for purposes of distribution. St. 1890, 266.

SECT. 13. Change in method of proof of notice. St. 1888, 148, 380; 1889, 315. (See 1888, 420.)

SECT. 19 extended to intestate estates. St. 1895, 140.

Chapter 135.—Of Allowances to Widows and Children and of the Distribution of the Estates of Intestates.

This chapter is repealed and superseded on and after July 1, 1901. St. 1900, 450. (See 1899, 479; 1900, 174.)

SECT. 3. See St. 1882, 141; 1885, 276; 1899, 479 § 7; 1900, 174, 450 § 3.

Chapter 136.—Of the Payment of Debts, Legacies and Distributive Shares.

Distribution of estates regulated on and after July 1, 1901. St. 1900, 450. (See 1899, 479.)

Executor or administrator may provide for perpetual care of burial lot. St. 1897, 321.

Provisions for deposit of certain moneys not immediately payable. St. 1885, 376; 1889, 185; 1890, 408; 1898, 65 § 2; 1899, 90.

Certain payments made without order of court may be afterwards approved. St. 1894, 303. Special administrators may pay such debts as the probate court may approve. St. 1897, 199.

SECT. 19 *et seq.* Where a legatee is a minor without a guardian, court may order the legacy to be deposited in a savings bank under P. S., ch. 144 § 16. St. 1889, 185. (See 1885, 376.)

Provision made for a State tax of five per cent. on collateral legacies and successions, and on grants to take effect after death of grantor in estates exceeding \$10,000. St. 1891, 425; 1892, 379; 1893, 432; 1895, 307, 430; 1896, 108; 1900, 371.

Real estate appraised at \$1,500 or less may be sold for distribution. St. 1890, 266.

Distribution of unclaimed funds may be ordered by the court in certain cases. St. 1890, 408. And of legacies. St. 1895, 134.

Act relative to the distribution of trust estates. St. 1898, 65. (See 1897, 447.)

Chapter 137.—Of Insolvent Estates of Deceased Persons.

SECTS. 7-9. Probate court may revise, alter or disallow claims in certain cases. St. 1899, 81.

Chapter 139.—Of Guardianship.

A trust company may be appointed guardian. St. 1899, 348.

Additional provisions for appointment of guardians *ad litem* or next friends. St. 1896, 456; 1897, 522. Provision for appointment of a temporary guardian. St. 1900, 345. (See 1887, 332; 1888, 290; 1890, 261 § 3; 1891, 415 § 3; 1897, 135.)

As to time of filing bond. See St. 1885, 274; 1898, 458.

SECTS. 1-3. Certain corporations are authorized to be guardians of minors. St. 1885, 362; 1890, 117; 1899, 348.

Provision for appointment of conservators of property of aged persons unable to care therefor. St. 1898, 527.

SECTs. 2-4. The probate court may require parents to contribute to support of their minor children under guardianship. St. 1891, 358.

SECT. 3 amended. St. 1899, 178 § 2.

SECT. 5 amended. Approval of court required. St. 1898, 138.

SECT. 6 repealed. St. 1900, 345 § 6.

SECT. 8 is revised. St. 1897, 173.

SECT. 16 is extended to married women who are minors. St. 1890, 259.

SECT. 20 amended. St. 1900, 232.

SECT. 29 *et seq.* Guardians residing out of the State must appoint an agent here. P. S., ch. 132 §§ 11-13, apply to them. St. 1889, 462; 1893, 118. (See 1890, 420; 1894, 128.)

Chapter 140. — Of Sales and Mortgages of Real Estate by Guardians.

SECT. 1 amended. St. 1899, 147.

SECT. 3. Guardian may be licensed to lease the ward's real estate. St. 1894, 128. (See 1896, 456; 1899, 147.)

SECT. 18 is extended to any interest in real estate. St. 1885, 258.

Chapter 141. — Of Trusts.

See land registration act. St. 1898, 562 §§ 65-69.

Probate courts have jurisdiction in equity over trusts created by will. St. 1891, 415. (See 1898, 65; 1899, 479 § 11.)

SECTs. 4-11. Foreign trustees must have an agent here. The provisions of P. S., ch. 132 §§ 11-13, apply. St. 1889, 462; 1893, 118. (See 1890, 420.)

SECT. 13 *et seq.* Provision for one appraiser only in certain cases. St. 1897, 147. (See 1896, 210.)

SECT. 16 is revised. Trustee may be exempted from furnishing surety on request of parties interested. St. 1891, 339. As to time of filing bond, see St. 1885, 274; 1898, 458.

SECT. 21. See St. 1896, 456; 1897, 522.

SECT. 23 is extended to other improvements. St. 1889, 66.

SECT. 27 is extended to trusts created under any written instrument. St. 1892, 116.

Act relative to the distribution of trust estates. St. 1898, 65.

Chapter 142. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, Administrators, Guardians and Trustees.

A foreign guardian or trustee must have an agent here. P. S., ch. 132 §§ 11-13, apply. St. 1889, 462; 1893, 118. (See 1890, 420; 1894, 128.)

SECT. 3. See St. 1899, 147; 1900, 371 § 3.

SECT. 12. See St. 1893, 379.

SECT. 14 is extended to administrators with the will annexed. Those claiming as legatees or devisees whose interests are affected are to be made parties. St. 1889, 266.

SECT. 18. See St. 1897, 447 § 7.

SECT. 23 is extended. Defective acts or proceedings may be ratified or confirmed. St. 1888, 420.

Provision in case of failure to file affidavit of notice of sale. St. 1889, 315. (See 1888, 148, 389.)

Chapter 143. — General Provisions relative to Bonds of Executors, Administrators, Guardians and Trustees.

Failure to file bond within thirty days may be considered a declination of trust. St. 1898, 458. And failure to file a new bond when required shall be considered a resignation. St. 1885, 274. Judges may approve bonds in any place. St. 1898, 131. (See 1894, 377; 1898, 69.)

Fidelity insurance companies may act as sureties. St. 1894, 522 §§ 29, 61; 1899, 364. (See 1884, 296; 1885, 241; 1886, 233; 1887, 214 §§ 29, 61; 1893, 117.)

Provision for reduction of penalty of bond signed by a surety company. St. 1899, 278.

SECT. 1. See St. 1894, 522 § 61; 1899, 364.

SECT. 10 *et seq.* Wife of a judge of probate may be defendant in a suit on a bond given to him or his predecessor as such judge. St. 1896, 208.

SECT. 19. Suit shall be brought in superior court. St. 1897, 131.

SECT. 23. See St. 1893, 396 § 14.

Chapter 144. — Of the Accounts and Settlements of Executors, Administrators, Guardians and Trustees.

Certain payments made without order of the court may be approved. St. 1894, 303. (See 1897, 199, 321.)

Form of accounts regulated. St. 1895, 210.

SECT. 6 amended. St. 1900, 147.

SECT. 8. Money paid with the approval of the judge for procuring surety on the bond may be allowed. St. 1886, 233. (See 1887, 214 §§ 29, 61.)

Bequests to executors in excess of a reasonable compensation are liable to the State legacy tax. St. 1891, 425 § 3.

SECTS. 13, 14 are revised. St. 1895, 288. (See 1889, 466.)

SECT. 16 is extended. St. 1885, 376; 1889, 185; 1898, 65; 1899, 90. (See 1889, 379.)

The amount which may be deposited and draw interest is not limited by St. 1894, 217 § 20. (See 1889, 86, 449.)

Provision is made for final distribution of deposits by the probate court in certain cases. St. 1889, 449 § 2; 1890, 408.

SECTS. 17, 18. Provisions for guardians *ad litem* or next friends in certain cases. St. 1896, 456; 1897, 135, 522.

Chapter 145. — Of Marriage.

SECTS. 4, 14. Marriages made in good faith, one of the parties believing that a former husband or wife is dead or divorced, are made valid when the impediment is removed, and the children are legitimated. St. 1895, 427; 1896, 499.

SECT. 11 is extended to residence here for five years unless libellant removed here for the purpose. St. 1886, 36.

SECTS. 11, 15. The superior court has exclusive original jurisdiction under these sections. St. 1887, 332.

SECT. 16. The marriage of minors is regulated. St. 1894, 401, 409 § 4; 1899, 197. Additional provisions relative to notices and certificates. St. 1894, 409; 1897, 424, 444.

SECTS. 22, 27. Acts relative to the solemnization of marriages. St. 1894, 409 § 5; 1896, 306 § 4; 1899, 387. (See 1893, 461; 1897, 424 § 5, 444.)

SECT. 24. The returns shall be preserved and arranged for reference. St. 1887, 202 § 3.

Change made in form of record and returns. St. 1892, 300. (See 1897, 424, 444.)

SECTS. 25, 26 are revised. St. 1896, 306.

SECT. 31. See St. 1896, 445.

Chapter 146. — Of Divorce.

Provision is made for returns of statistics of divorce. St. 1882, 194.

The superior court has exclusive original jurisdiction of all cases of divorce and nullity and validity of marriages. St. 1887, 332.

SECT. 1. Divorce may be decreed for gross and confirmed drunkenness caused by the use of opium or other drugs. St. 1889, 447. And for any legal cause, notwithstanding an absence which would raise a presumption of death. St. 1884, 219.

SECT. 10 is amended. When adultery is charged the alleged *particeps criminis* may contest. St. 1890, 370; 1898, 487.

SECT. 19. All decrees shall become absolute after six months unless court has otherwise ordered. St. 1893, 280. (See 1882, 223; 1893, 194.)

SECTS. 42-44. Procuring a fraudulent divorce; advertising, by one not a member of the bar, the business of procuring divorces; and unlawfully issuing certificates of divorce, are made offences. St. 1886, 342; 1887, 320; 1891, 59.

Chapter 147. — Of Certain Rights and Liabilities of Husband and Wife.

Rights of a husband and wife in a tomb or burial lot belonging to one of them prescribed. St. 1883, 262; 1900, 450 § 9. (See 1885, 302; 1892, 165; 1899, 479 § 12; 1900, 174.)

SECT. 1. A wife cannot, without his written consent, destroy or impair her husband's life estate in one-half her lands where there is no issue. St. 1889, 204. (See 1884, 301; 1885, 255; 1887, 290.)

SECT. 3 is revised. Nothing contained in the preceding section shall authorize such transfer. St. 1884, 132.

SECT. 6 is repealed July 1, 1901. St. 1900, 450. (See 1884, 301; 1885, 255; 1887, 290; 1898, 562 § 19; 1899, 479.)

SECT. 11 amended. Married woman shall not carry on business in her husband's name. St. 1898, 416.

SECT. 16 *et seq.* Provision is made for a release of the curtesy and rights by statute by the guardian of an insane husband. St. 1886, 245; 1899, 284.

SECT. 20. The notice shall be such as the court may order. St. 1890, 105.

SECTS. 31-33, 36. The probate court has exclusive original jurisdiction under these sections and the appeal is to the superior court. St. 1887, 332 §§ 2, 3. (See 1882, 270; 1884, 210; 1885, 176; 1888, 290; 1890, 261; 1891, 415 § 3; 1893, 262; 1895, 116; 1897, 135.)

Provision for receivers of estates of absent persons whose address is unknown, having a wife or child dependent on them for support. St. 1894, 203.

SECT. 36. Probate courts may require parents to contribute to support of children under guardianship. St. 1891, 358.

Chapter 148.—Of the Adoption of Children and the Change of Names.

Adoption of pauper and illegitimate children regulated. St. 1891, 194; 1892, 318 §§ 13-15; 1899, 276. (See 1882, 270; 1889, 309, 416; 1895, 310.)

SECT. 3 is amended. St. 1886, 101 § 4; 1898, 433 § 28.

SECT. 6. See St. 1897, 228.

SECTS. 12-14. A list of names changed, ordered published. St. 1884, 249; 1893, 191.

SECT. 14. The registers shall make the returns. St. 1897, 89.

Chapter 149.—Of Masters, Apprentices and Servants.

SECT. 8. See St. 1894, 508 § 49; 1895, 428 § 3; 1898, 394, 396.

SECT. 10. See St. 1896, 288, 382.

Chapter 150.—Of the Supreme Judicial Court.

The care and custody of the Suffolk county court house is given to the justices of the supreme judicial court. St. 1894, 453.

SECT. 3. The court may compel witnesses summoned by other tribunals to appear and testify. St. 1883, 195; 1898, 374.

SECT. 4. County commissioners added. St. 1897, 224.

SECT. 5. See St. 1886, 203; 1891, 180, 293, 379, 419; 1892, 169, 435; 1895, 419 § 2; 1896, 388; 1899, 103, 376.

Exclusive original jurisdiction is given to the superior court in cases of divorce and nullity of marriages. St. 1887, 332 § 1. Of capital crimes. St. 1891, 379. And of petitions for partition and writs of entry. St. 1892, 169.

Appeals on petitions under sections 31-33 and 36 of chapter 147 are to superior court. St. 1887, 332 § 3. (See 1888, 290; 1890, 261; 1891, 415 § 3; 1895, 116; 1897, 135.)

SECT. 7. Questions for the full court may be heard in any county. St. 1892, 127. (See 1886, 223; 1896, 413; 1898, 562 § 14; 1899, 131 § 2, 357; 1900, 311.)

SECT. 8. See St. 1900, 311.

SECT. 14. Further provisions in cases of frivolous appeals and exceptions. St. 1883, 223 § 15.

SECT. 16 is revised. Waiver may be allowed. St. 1900, 372. (See 1882 239; 1888, 94; 1895, 153; 1896, 451.)

SECTS. 18-20, 24, 26-29 repealed. St. 1891, 379. (See 1890, 374; 1893, 394; 1895, 372.)

SECTS. 21, 22, 23 and 25 are repealed. St. 1886, 339. (See 1891, 379.)

SECT. 24. See St. 1899, 373.

SECT. 30 *et seq.* Terms are abolished, return days changed and practice further regulated. St. 1885, 384; 1886, 223; 1887, 383; 1890, 374, 420 § 2; 1892, 127, 169; 1893, 61; 1900, 311. (See 1882, 264 § 2; 1883, 223; 1884, 316; 1887, 347.)

The law term for Worcester is changed. St. 1885, 48. And for Bristol, Dukes and Nantucket. St. 1891, 287.

SECT. 32. See St. 1889, 173.

SECT. 39. Salaries fixed and allowance made for travelling expenses. St. 1900, 385 § 1. (See 1888, 274 § 1; 1892, 59, 104; 1893, 327.)

Pensions are provided for. St. 1885, 162; 1899, 310. And clerical assistance. St. 1891, 89. (See 1893, 327.)

Chapter 151. — Of the Supreme Judicial Court Equity Jurisdiction.

The equity jurisdiction is extended. St. 1884, 154 § 1, 285; 1887, 380; 1888, 316; 1891, 379, 383; 1892, 435; 1897, 462; 1898, 463 § 4, 578 § 25. (See 1893, 460 § 1; 1899, 143, 373.)

SECTS. 5-7. Practice regulated and forms established. St. 1883, 223; 1884, 316; 1885, 384; 1887, 383; 1893, 61; 1899, 373. (See 1889, 442; 1890, 427; 1891, 383; 1892, 289, 440; 1893, 340; 1896, 426; 1897, 522; 1898, 397.)

SECT. 15. See St. 1900, 381.

SECT. 20. See St. 1893, 61.

SECT. 23. See St. 1885, 384 § 3; 1886, 223; 1892, 127; 1896, 413.

SECT. 27 amended. St. 1895, 116. (See 1883, 223 § 16.)

Chapter 152. — Of the Superior Court.

SECT. 1. The number of justices is increased. St. 1896, 526. (See 1886, 31; 1888, 58; 1892, 271.)

SECT. 2. Provision for sessions by two or more justices in capital cases. St. 1894, 204. (See 1891, 379.) And without a jury in certain actions at law. St. 1891, 227. And for hearings and orders in cases pending in other counties. St. 1886, 223. (See 1896, 413.)

SECTS. 3-6. Jurisdiction extended and practice regulated. St. 1883, 223; 1884, 304, 316; 1885, 384; 1887, 332, 380, 383; 1890, 154, 374; 1891, 227, 293, 362, 379, 383; 1892, 169, 435, 440; 1893, 61; 1895, 116; 1897, 490; 1898, 432, 578 § 25; 1899, 103, 242; 1900, 177, 299, 311. (See 1882, 239; 1887, 246, 347; 1888, 114; 1889, 442; 1890, 398, 427; 1893, 340, 396 § 12, 460; 1894, 175, 431; 1896, 388, 401, 413, 426; 1897, 522; 1898, 425 § 4, 457, 490; 1899, 143.)

The court may compel witness summoned by another tribunal to attend. St. 1883, 195; and to testify; 1898, 374.

May appoint probation officers, and may place accused persons on probation. St. 1898, 511 § 1.

Separate equity docket required in Middlesex and Suffolk. St. 1892, 440.

Exclusive original jurisdiction given in causes of divorce and nullity of marriage. St. 1887, 332 § 1. (See 1894, 409 § 7; 1895, 116.) And of capital crimes. St. 1891, 379; 1894, 204. (See 1893, 324, 365, 394.) And of petitions for partition and writs of entry. St. 1892, 169. And certain matters relating to telegraph and telephone wires. St. 1891, 293.

Jurisdiction is given of certain appeals from the probate courts. St. 1887, 332 § 3. And of appeals from the land registration court. St. 1898, 562 § 14; 1899, 131 § 2. (See 1888, 290; 1890, 261; 1891, 415 § 3; 1895, 116; 1897, 135.) And of claims against the Commonwealth. St. 1887, 246.

SECTS. 7, 8. The right to remove actions and petitions for partition under these sections is taken away. St. 1892, 169. (See 1885, 384 § 14; 1891, 227.)

SECT. 10. Appeals in certain cases regulated. St. 1899, 357. (See St. 1900, 311.)

SECT. 11 repealed. St. 1892, 105.

SECT. 17. Changes in sessions: Barnstable; St. 1899, 271. (See 1891, 175.) Bristol; 1888, 314; 1891, 287 § 2; 1899, 140. Dukes; 1889, 308. Essex; 1896, 412. (See 1885, 191; 1889, 461; 1895, 256.) Franklin; 1898, 355. (See 1889, 327.) Hampden; 1885, 27. Middlesex; 1892, 391. Norfolk; 1889, 287. Worcester; 1894, 118, 169. (See 1882, 264 § 2; 1891, 227 § 3.)

Provision for speedy trials in Suffolk in certain cases. St. 1894, 283, 547; 1897, 381.

SECT. 18. Changes in adjourned sessions: Essex; St. 1889, 461. Plymouth; 1885, 134.

Terms are abolished and return days changed. St. 1885, 384.

Petition for damages for land taken by any town in Nantucket or Dukes may be brought in Bristol. St. 1887, 50. (See 1885, 384 § 1.)

SECTS. 19-23 repealed and new provisions made for criminal business. St. 1897, 490.

SECT. 24 is repealed. St. 1887, 183.

SECT. 28. Provision made for pensions. St. 1887, 420; 1899, 310.

Salaries are fixed and allowance made for travelling expenses. St. 1900, 385 § 2. (See 1882, 205; 1888, 274; 1892, 59, 328.)

Chapter 153.—Of Matters Common to the Supreme Judicial Court and the Superior Court.

An act relative to proceedings before auditors. St. 1900, 418.

SECT. 3. See St. 1886, 224.

SECT. 4. The superior court may regulate publication and distribution of trial lists. St. 1896, 401. (See 1889, 459; 1893, 372; 1896, 413; 1898, 411; 1899, 373.)

Provision made for postponement, etc., of cases on the trial lists. St. 1884, 304; 1890, 154, 451. (See 1889, 459; 1890, 420.)

SECTS. 6-8. See St. 1891, 227; 1893, 61; 1900, 311, 372. Provisions relative to new trials and reduction of verdicts. St. 1897, 472. For hearings and orders in cases pending in other counties. St. 1886, 223; 1896, 413. For reporting cases to full court. St. 1900, 311.

SECT. 8. Time for filing exceptions extended. Presiding justice may require a transcript of the evidence and instructions to the jury. St. 1895, 153; 1896, 451. (See 1888, 94; 1892, 127.)

SECTS. 10, 13. Provisions for proving exceptions when the disability or death of the justice prevents his signing them. St. 1894, 412. (See 1882, 239.)

SECT. 12 repealed. St. 1895, 469 § 4. (See 1891, 362.)

SECT. 14. See St. 1887, 332 § 3; 1888, 290; 1890, 261; 1895, 116; 1897, 185.

SECT. 15. Clerks shall furnish to the attorney-general printed copies of exceptions and reports in cases in which the Commonwealth is interested. St. 1890, 374. Or in which the attorney-general appears for the Commonwealth. St. 1895, 372.

SECT. 22. See St. 1896, 413.

SECT. 23. The original vouchers of bills must be delivered with the orders. St. 1890, 206. (See 1890, 204; 1895, 482; 1896, 357; 1897, 129, 153.)

SECTS. 24, 25. See St. 1882, 264 § 2; 1886, 223; 1896, 413; 1897, 525 § 3.

Chapter 154. — Of the Police, District and Municipal Courts.

The laws relating to district and police courts are revised and consolidated. St. 1893, 396; 1894, 142, 173, 398, 431; 1895, 245; 1896, 220, 388; 1897, 180, 245, 349, 431; 1898, 204, 488, 489, 549; 1899, 445. (See 1882, 95; 1884, 188; 1885, 45, 132, 149, 322; 1887, 293; 1888, 180, 285, 352, 415; 1890, 225, 256, 359, 440 §§ 8-11; 1892, 148, 268; 1893, 385; 1897, 387, 529; 1898, 411, 496 § 32; 1899, 207.)

Provision made for hearings before all the justices. St. 1894, 173; 1896, 220.

Provision for an equitable process after judgment in certain cases. St. 1898, 549; 1899, 445.

Probation service regulated. St. 1900, 449.

Payment of interpreters and of witnesses from without the Commonwealth allowed in criminal cases. St. 1893, 385.

SECTS. 1, 2. Police and district courts are established, as follows: First and second, of Barnstable; St. 1890, 177. Fourth, Berkshire; 1895, 176. Brockton; 1885, 155. Brookline; 1882, 233. (See 1898, 214.) Dukes County; 1898, 287. East Boston, district; 1886, 15. Central, northern Essex; 1899, 255. Eastern Essex; 1900, 400 § 2. Second, Essex; 1888, 193. Franklin; 1896, 353. Eastern Franklin; 1899, 391. Western Hampden; 1886, 190. Hampshire; 1882, 227. Marlborough; 1882, 233. Third and fourth, eastern Middlesex; 1882, 233. Northern Norfolk; 1898, 478. Southern Norfolk; 1891, 273. Western Norfolk; 1898, 497. First, northern Worcester; 1884, 215. As to East Norfolk, see 1898, 381.

SECT. 2. Courts abolished: East Boston, municipal; St. 1886, 15. Cambridge, police; 1882, 223. Gloucester, police; 1900, 400 § 1. First, Plymouth; 1885, 155. (See 1895, 176; 1899, 255.)

Judicial districts changed: Northern Berkshire; St. 1895, 176. Brock-

ton; St. 1887, 322. East Boston; 1882, 146. (See 1886, 15.) Central, northern Essex; 1899, 255 (Haverhill). Gloucester; 1888, 249; 1897, 403. First, eastern Middlesex; 1888, 59; 1898, 250. Fourth, eastern Middlesex; 1888, 59; 1889, 312; 1898, 250. First, southern Middlesex; 1882, 169. Central and second, eastern Worcester; 1896, 240; 1897, 401.

SECTS. 4, 25. See St. 1882, 43; 1885, 132; 1890, 204, 440; 1893, 396; 1897, 245.

SECT. 5, 6. Clerks provided: Fourth, Berkshire; St. 1895, 176. Southern Berkshire; 1886, 333. (See 1884, 231.) Brookline; 1888, 60. Chelsea; 1882, 176. Chicopee; 1891, 78. Franklin; 1896, 353. Eastern Hampden; 1896, 337. Hampshire; 1883, 80. Lee; 1900, 138. Lowell (assistant); 1889, 152. Second, eastern Middlesex; 1883, 97. Third, eastern Middlesex (assistant); 1897, 260. (See 1893, 370.) Northern Norfolk; 1898, 478. Southern Norfolk; 1891, 273. Western Norfolk; 1898, 497 § 3. Springfield (assistant); 1899, 204. (See 1896, 331.) First, southern Worcester; 1898, 369. Third, southern Worcester; 1900, 326.

Clerical assistance allowed: Second, Bristol; St. 1889, 62. Third, Bristol; 1897, 263. Brockton; 1900, 419 § 2. Lawrence; 1898, 286. Lowell; 1888, 246; 1889, 152. Lynn; 1898, 331. First, eastern Middlesex; 1889, 317. Central Worcester; 1895, 260.

Provision for constables. St. 1900, 179.

Clerks and justices of courts having no clerks must deposit public moneys beyond what is required for immediate use. St. 1880, 215. (See 1890, 204.) Clerks may issue warrants and approve bonds in bastardy cases. St. 1885, 289; 1899, 262.

SECT. 8. See St. 1888, 352; 1893, 396 § 67; 1894, 142, 431; 1895, 245.

SECTS. 11-22. See St. 1885, 149, 322; 1887, 293; 1888, 114, 419 § 12; 1892, 188 § 5; 1893, 172 § 4, 396 §§ 12, 17, 34-43, 571; 1894, 173, 398, 431; 1895, 404, 419; 1896, 388; 1897, 180, 349, 431; 1898, 548 §§ 304-310, 559.

Jurisdiction given in naturalization proceedings. St. 1885, 345; 1886, 45, 203; 1891, 180, 419; 1892, 348. (See 1884, 298 § 38; 1888, 257 § 4; 1893, 376, 417 § 237.)

Provision for probation of accused persons and for probation officers. St. 1891, 356. (See 1891, 427; 1892, 242, 276; 1894, 229, 368, 372; 1897, 266; 1898, 511.)

SECT. 13. See St. 1899, 389.

SECT. 23. Sessions changed: Northern Berkshire; St. 1884, 266. Hampshire; 1883, 75; 1889, 122. (See 1882, 227; 1883, 80.) First eastern Middlesex; 1893, 350. Northern Worcester; 1888, 212.

SECTS. 23, 25. See St. 1884, 188; 1893, 396 § 56; 1894, 142, 173; 1896, 220; 1897, 431.

SECT. 24 extended. Certification and audit of expenses regulated. St. 1890, 440 § 11; 1891, 70. (See 1893, 396 §§ 1, 9, 49; 1897, 245.)

SECT. 25. See St. 1892, 268; 1893, 396 § 55.

SECT. 26. Travelling expenses allowed to special justice in Hampshire. St. 1884, 205. (See 1885, 40; 1894, 142, 173, 431; 1895, 245; 1896, 396 § 66.)

SECT. 27 *et seq.* See St. 1886, 13; 1888, 285, 415; 1890, 359; 1893, 396 §§ 46, 59, 64. Office hours for clerks. St. 1900, 281.

SECT. 30. Fac-simile of clerk's signature may be used on certain processes. St. 1886, 13. (See 1885, 321; 1893, 396 §§ 58, 64.)

SECT. 34 in part repealed. St. 1890, 204.

SECTS. 34, 35. A controller of accounts is provided for, and method of accounting regulated. St. 1887, 438; 1888, 275; 1890, 204, 216, 380, 440; 1893, 257, 270; 1894, 183; 1895, 143; 1896, 128. (See 1886, 169.)

Funds not required for immediate use must be deposited. St. 1890, 215. (See 1887, 438 § 5; 1890, 216.)

Apportionment of fines in certain cases. St. 1891, 416. (See 1890, 440 § 5.)

SECT. 36. Payment of witness fees regulated. St. 1888, 180; 1890, 440 § 8; 1891, 392; 1893, 396 § 9. (See 1893, 385.)

SECT. 37. Fees and costs are regulated in certain cases. St. 1888, 180; 1890, 256, 353, 440; 1891, 325; 1892, 200; 1893, 396 §§ 9-11; 1893, 204. (See 1892, 231, 268; 1893, 385, 396 § 55.)

SECT. 38. No court fees shall be allowed or taxed in criminal cases. St. 1890, 256. Bond to be examined annually by controller of county accounts. St. 1893, 257.

SECT. 39 *et seq.* Appeals regulated. St. 1893, 396 §§ 24-32, 49. (See 1882, 95; 1885, 384 § 3; 1886, 223; 1890, 224, 440 § 10; 1894, 173 § 1; 1896, 355.)

SECT. 42 *et seq.* The justices may act for each other in certain cases. St. 1882, 43; 1885, 132; 1893, 396 § 63. May sentence or commit to house of industry instead of to house of correction or jail. St. 1895, 224.

SECT. 48. See St. 1894, 398; 1896, 393 § 13.

St. 1893, 396, applies to these courts, except the municipal court of the city of Boston. St. 1894, 431. (See 1894, 142, 173, 398; 1896, 220; 1897, 180, 349.)

The municipal court of East Boston is abolished, and East Boston district court established. St. 1886, 15. (See 1882, 146.)

Clerks and clerical assistance provided for: East Boston; St. 1886, 15. South Boston; 1887, 327. Brighton; 1894, 363. Charlestown; 1889, 206. Dorchester; 1885, 79; 1897, 397. West Roxbury; 1887, 274.

SECT. 54 is repealed. Provision for court officers. St. 1900, 433. (See 1893, 396 § 62; 1895, 457; 1898, 254; 1900, 179.)

SECT. 55. Number of justices increased. St. 1882, 41; 1888, 419 § 11; 1894, 308; 1896, 234; 1899, 313.

SECT. 57. Two special justices. St. 1896, 234. Compensation increased. St. 1897, 360.

SECT. 58. Assistant clerks and clerical assistance provided for. St. 1883, 47; 1885, 42 § 2, 137 § 2; 1888, 419 § 13; 1889, 170; 1893, 371; 1895, 125; 1897, 183; 1899, 353. (See 1890, 440 §§ 5, 6; 1891, 236, 392, 416.)

SECTS. 59, 60. Jurisdiction extended. St. 1894, 431 § 2. (See 1895, 224, 419; 1896, 220, 536 § 7; 1897, 180, 349, 387, 529.)

Probation officers provided for. St. 1891, 356; 1892, 242; 1894, 368, 372; 1897, 266. (See 1891, 427; 1894, 229; 1897, 236; 1900, 279.)

SECT. 62. Additional sessions by special justices provided for. St.

1885, 42 § 1. When he acts he must state in the record the fact which gives him jurisdiction. St. 1892, 268.

SECT. 63 revised. St. 1895, 457; 1898, 254; 1900, 433. (See 1893, 396 § 62.)

SECT. 64. Salaries of justices fixed: First and second Barnstable; St. 1890, 177. Central Berkshire; 1899, 314. (See 1887, 190.) Northern Berkshire; 1898, 216. (See 1884, 266 § 3; 1887, 61 § 1.) Southern Berkshire; 1884, 231. Fourth Berkshire; 1898, 460. (See 1895, 176.) Boston; 1887, 163. (See 1882, 41 § 2.) East Boston; 1892, 100. (See 1886, 15.) South Boston; 1889, 242. Brighton; 1885, 49. First Bristol; 1889, 261. (See 1884, 220.) Second Bristol; 1891, 108. Third Bristol; 1900, 384. (See 1889, 54; 1898, 429.) Brockton; 1899, 339. (See 1885, 155.) Brookline; 1884, 211. (See 1882, 233 § 6.) Charlestown; 1891, 160. (See 1889, 227.) Chelsea; 1894, 470. Dorchester; 1885, 79. Dukes County; 1898, 287. First Essex; 1882, 245. Eastern Essex; 1900, 400 § 6. Second Essex; 1888, 193. Fitchburg; 1899, 315. (See 1889, 97.) Franklin; 1896, 353. (See 1882, 245.) Eastern Franklin; 1899, 391 § 2. Gloucester; 1897, 324. (See 1888, 234; 1900, 400.) Eastern Hampden; 1889, 130. Western Hampden; 1886, 190. Hampshire; 1883, 75. (See 1882, 227; 1883, 80; 1884, 205.) Haverhill; 1882, 245. Holyoke; 1886, 151. Lawrence; 1900, 268. (See 1888, 110; 1893, 479.) Lee; 1894, 373. Lowell; 1893, 479. (See 1886, 307.) Lynn; 1900, 265. (See 1886, 154; 1891, 162.) Marlborough; 1892, 93. (See 1882, 233.) Central Middlesex; 1890, 238. First eastern Middlesex; 1893, 479. (See 1882, 245; 1886, 166.) Second eastern Middlesex; 1897, 390. (See 1882, 245; 1886, 123.) Third eastern Middlesex; 1898, 358. (See 1882, 233.) Fourth eastern Middlesex; 1897, 358. (See 1882, 233; 1893, 479.) First northern Middlesex; 1889, 198. First southern Middlesex; 1889, 12. Newburyport; 1882, 245. Newton; 1898, 362. (See 1890, 93; 1893, 479.) East Norfolk; 1889, 263. Northern Norfolk; 1898, 478. Southern Norfolk; 1891, 273. Western Norfolk; 1898, 497. Third Plymouth; 1894, 321. Fourth Plymouth; 1889, 281. Roxbury; 1897, 356. (See 1889, 217.) West Roxbury; 1883, 111. Somerville; 1897, 318. (See 1882, 245; 1887, 180; 1891, 161.) Springfield; 1898, 372. (See 1887, 171; 1897, 359.) Williamstown; 1900, 229. (See 1897, 325.) Central Worcester; 1888, 50. First eastern Worcester; 1884, 208. Second eastern Worcester; 1889, 158; 1898, 388. (See 1882, 245.) First northern Worcester; 1893, 479; 1898, 256. (See 1884, 215 § 4.) First southern Worcester; 1890, 131. Second southern Worcester; 1888, 173. Third southern Worcester; 1882, 245. (See 1892, 59.)

Salaries of clerks fixed: Central Berkshire; St. 1893, 479. (See 1882, 245.) Northern Berkshire; 1899, 217. (See 1887, 61; 1888, 89.) Southern Berkshire; 1897, 322. (See 1884, 231; 1886, 333 § 4; 1887, 227; 1894, 374.) Fourth Berkshire; 1898, 460. (See 1895, 176.) Boston, civil; 1882, 245. First assistant; 1889, 39. Second assistant; 1889, 143. Third assistant; 1892, 58. (See 1889, 170.) Fourth assistant; 1897, 183. Criminal clerk and assistant; 1893, 479. (See 1882, 245; 1885, 137.) East Boston; 1886, 15. (See 1882, 245.) South Boston; 1882, 245. Assistant; 1894, 379. (See 1887, 327.) Brighton;

1894, 363. First Bristol; 1889, 261. Second Bristol; see 1889, 62. Third Bristol; 1893, 479. (See 1889, 41.) Brockton; 1900, 419 § 1. (See 1885, 155; 1895, 500.) Brookline; 1888, 60. Charlestown; 1897, 175. (See 1889, 206.) Chelsea; 1894, 470. (See 1882, 176; 1884, 197; 1887, 117.) Chicópee; 1891, 78. Dorchester; 1893, 479. (See 1885, 79; 1886, 124; 1897, 397.) Eastern Essex; 1900, 400 § 6. First Essex; 1882, 245. Fitchburg; 1899, 315. (See 1882, 245; 1889, 289; 1891, 71.) Franklin; 1896, 353. Eastern Franklin; 1899, 391 § 2. Gloucester; 1888, 235. (See 1883, 53; 1900, 400.) Eastern Hampden; 1896, 337. Western Hampden; 1893, 479. (See 1886, 190; 1888, 88.) Hampshire; 1893, 479. (See 1883, 80; 1886, 106.) Haverhill; 1888, 55. (See 1882, 245.) Holyoke; 1887, 318. (See 1884, 65.) Lawrence; 1893, 479; 1898, 286. (See 1887, 208.) Lee; 1900, 138. Lowell; 1893, 479. (See 1886, 307.) Assistant; 1899, 234. (See 1882, 63; 1888, 246; 1889, 152.) Lynn; 1893, 479. (See 1898, 331.) Marlborough; 1892, 93. (See 1882, 233; 1889, 19.) First eastern Middlesex; 1897, 422. (See 1882, 87, 245; 1886, 167; 1893, 479.) Assistant; 1900, 332. (See 1889, 317; 1894, 65.) Second eastern Middlesex; 1894, 336. (See 1883, 97; 1885, 180; 1888, 233; 1891, 107.) Third eastern Middlesex; 1899, 297. (See 1882, 233; 1886, 165; 1893, 370.) Assistant; 1897, 260. Fourth eastern Middlesex; 1893, 479. (See 1882, 233; 1887, 174.) First northern Middlesex; 1888, 214. First southern Middlesex; 1886, 156. Newburyport; 1889, 277. (See 1882, 245.) Newton; 1893, 479. (See 1886, 158.) East Norfolk; 1893, 479. (See 1888, 54.) Northern Norfolk; 1898, 478. Southern Norfolk; 1891, 273. Western Norfolk; 1898, 497. First Plymouth; 1883, 57. (See 1885, 155.) Third Plymouth; 1889, 137. Fourth Plymouth; 1891, 190. (See 1884, 204.) Roxbury, clerk; 1893, 479. Assistant; 1889, 239. (See 1882, 245.) Somerville; 1887, 265. (See 1882, 245.) Springfield; 1889, 28. (See 1886, 155; 1896, 331.) Assistant; 1899, 204. West Roxbury; 1900, 330. Assistant; 1900, 331. (See 1887, 274; 1889, 92; 1893, 479.) Central Worcester; 1889, 83. Assistant; 1893, 479. (See 1882, 245; 1888, 184; 1895, 260.) Second eastern Worcester; 1889, 218; 1898, 382. (See 1882, 245.) First northern Worcester; 1885, 286; 1898, 256. (See 1884, 215 § 4.) First southern Worcester; 1899, 154. (See 1898, 369.) Third southern Worcester; 1900, 326.

Compensation of special justices and *pro tempore* clerks regulated. St. 1893, 396 §§ 66, 67; 1894, 142, 173 § 2; 1895, 245. (See 1888, 352; 1899, 110.)

Salaries of constables in attendance fixed: Boston, civil; St. 1886, 130. Criminal; 1888, 195. Brighton; 1886, 148. Charlestown; 1886, 136. East Boston and South Boston; 1882, 245. Roxbury; 1889, 174. West Roxbury; 1886, 148. (See 1886, 180; 1895, 457; 1898, 254; 1900, 179.)

SECT. 67. See St. 1890, 440 § 1; 1900, 179.

Chapter 155. — Of Justices of the Peace and Trial Justices.

The laws relating to district and police courts are revised and consolidated. St. 1893, 396; 1894, 142, 173, 398, 431; 1895, 245; 1896, 220,

388; 1897, 180, 245, 349, 387, 431; 1898, 204, 555. (See 1895, 237, 419 § 2; 1897, 461; 1898, 381, 411, 489; 1899, 166.)

SECT. 2 amended. St. 1899, 178 § 3. (See 1882, 139; 1883, 252; 1889, 197; 1895, 379; 1896, 476.)

Provision for payment of interpreters and of witnesses from without the Commonwealth. St. 1893, 385.

SECT. 3. The right to issue summons is extended. St. 1885, 141. (See 1884, 247.)

SECT. 4. Power of justices to issue warrants modified. St. 1884, 286; 1897, 461. (See 1884, 191; 1893, 396 §§ 43-46; 1898, 411; 1899, 166.)

Only certain specially appointed justices may solemnize marriages. St. 1899, 387.

SECT. 5. See St. 1898, 411.

SECT. 10. In Dukes County three trial justices. St. 1892, 408.

SECT. 12 *et seq.* Execution may run into any county. St. 1895, 380.

SECT. 17 *et seq.* No original writ shall be returnable more than sixty days from date. St. 1892, 148; 1893, 396 § 17. (See 1898, 397, 420.)

Provision is made for preservation of records, etc., of trial justices. St. 1888, 211.

SECT. 21. In case of failure to attend an adjourned hearing another justice may act in certain cases. St. 1883, 175. (See 1890, 202.)

SECTS. 24-26. Bond required instead of recognizance before removal. St. 1888, 325. These sections shall not apply to actions before district and police courts. St. 1893, 396 § 21.

SECT. 28. Appeal is to be entered at next return day. St. 1885, 384 § 5.

SECT. 29 *et seq.* No bond, recognizance or deposit required in a replevin suit. St. 1890, 224. (See 1882, 95; 1893, 396 § 29.) Nor on an appeal by a county or a municipal corporation. St. 1896, 355.

SECTS. 37, 38. See St. 1890, 202.

SECTS. 40, 41. See St. 1888, 211.

SECT. 42. See St. 1895, 380.

SECT. 43 *et seq.* Jurisdiction of trial justices extended. St. 1885, 149, 356; 1892, 160, 188 § 5; 1893, 172 § 4. (See 1892, 200; 1893, 414; 1894, 505.)

Form of warrants for commitment for non-payment of fines modified. St. 1891, 416.

SECT. 44. See St. 1893, 396 § 46; 1899, 389.

SECT. 49. Commitments of children under twelve restricted. St. 1882, 127.

Costs regulated in certain cases. St. 1889, 469. (See 1893, 385.)

SECT. 59. See St. 1893, 385.

SECT. 60. See St. 1890, 440 § 10.

SECT. 62. See St. 1894, 505.

SECTS. 63, 65. Appellant must pay the jailer's fees in certain cases. St. 1890, 328. (See 1893, 396 § 53.)

SECTS. 67 *et seq.*, 74, 75. Provision made for completion of unfinished business before trial justices. St. 1890, 202. (See 1883, 175.)

SECT. 68. Commitments for contempt may be to any jail. St. 1886, 224. (See 1893, 396 § 61.)

SECTS. 69, 77 *et seq.* Provision made for preservation of records and for uniform dockets and blanks except in certain cases. St. 1888, 211, 285. (See 1893, 396 §§ 59, 64.)

SECT. 76. Bond to be examined annually by controller of county accounts. St. 1893, 257.

SECT. 78 repealed. Payments and accounting regulated. St. 1887, 438; 1890, 204, 215, 216, 440; 1891, 70, 325, 416; 1893, 270, 385, 396 § 9; 1898, 204. (See 1886, 169; 1888, 180, 275; 1891, 392.)

Provision for payment by county of rent of office used for court purposes. St. 1898, 555.

Chapter 156. — Of Probate Courts.

Uniform rules of practice and blanks are provided for. St. 1893, 372. (See 1890, 420 § 2; Res. 1893, 23; St. 1898, 414.)

Form of accounts regulated. St. 1895, 210.

Judges may act for or assist each other. St. 1892, 337; 1894, 377; 1899, 345. (See 1896, 316; 1898, 69.) May act in other counties. St. 1898, 131. An additional judge is provided for in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

Probate courts may appoint auditors to examine accounts. St. 1889, 311.

Any act or proceeding within the power of the court in the first instance may be confirmed. St. 1888, 420.

The probate of a will, or a determination of intestacy, is made conclusive in certain cases after two years. St. 1889, 435.

Disposition of certain moneys unclaimed or not payable regulated. St. 1885, 376; 1889, 185, 449 § 2; 1890, 408; 1899, 90. (See 1893, 379.)

Attorneys may appear in probate proceedings, and process and notices may be served on them as if upon the parties. St. 1890, 420 § 1.

SECT. 2. Jurisdiction extended. St. 1887, 332 § 2; 1891, 358, 415, 425 § 14; 1892, 116; 1894, 164, 536; 1897, 135, 136; 1898, 414; 1899, 81, 90, 278, 301. (See 1894, 128, 203, 303, 401; 1895, 116; 1896, 210, 456; 1897, 147; 1898, 65, 69, 131, 138, 496 § 32; 1899, 197, 479 §§ 11, 12.) Provision for reduction of penalty of bonds signed by surety companies. St. 1899, 278.

SECTS. 5-11. Appeals in certain cases regulated. St. 1887, 332 § 3; 1888, 290; 1890, 261 § 3; 1891, 415 § 3; 1895, 116. (See 1897, 135.)

SECTS. 7, 8 amended. St. 1888, 290.

SECTS. 9, 13 amended. The superior court is to act in certain cases. St. 1890, 261. (See 1891, 415.)

SECT. 22. See St. 1890, 420; 1893, 372. Provision for a constable to attend the court in Suffolk. St. 1884, 140; 1894, 66; 1898, 146. (See 1887, 156, 243.) And in Middlesex. St. 1895, 246 § 1.

SECT. 32. See St. 1885, 376; 1889, 185; 1890, 408; 1893, 379.

SECT. 35. Expenses may also be awarded. St. 1884, 131. (See 1884, 291.)

SECT. 42. Provision for rearranging worn records and dockets. St. 1891, 225.

SECT. 44. Limit of expense changed. St. 1893, 422. (See 1884, 118; 1887, 217.)

SECT. 45. See St. 1886, 224.

SECT. 48. Provision made for cases of holidays. St. 1884, 141. For sessions in Boston, for Norfolk in certain cases. St. 1900, 319.

Courts shall always be open for matters in equity, hearings, contempt proceedings and for making orders and decrees in such matters, except on legal holidays. St. 1895, 215.

Changes in sessions: Barnstable; St. 1893, 343. Bristol, 1898, 199. Franklin; 1898, 218. (See 1887, 46.) Hampden; 1884, 294. Hampshire; 1886, 145. Middlesex; 1889, 182. Norfolk; 1898, 201. Plymouth; 1887, 63; 1889, 269. (See 1889, 237.) Suffolk; 1892, 202. (See 1893, 379.) Worcester; 1893, 348.

Chapter 157.—Of Courts of Insolvency.

Petition may be brought in county where debtor had a usual place of business. St. 1893, 405.

Attorneys may appear and be served with notices and process. St. 1890, 420 § 1.

Court may direct the messenger or assignee to carry on the business of the debtor. St. 1897, 120. (See St. 1898, 562 § 88.)

Jurisdiction in equity given in insolvency cases. St. 1894, 164. (See 1892, 435; 1893, 418; 1894, 367; 1895, 340.)

Uniform rules of practice provided for. St. 1893, 372.

Two judges in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

Composition with creditors provided for and regulated. St. 1884, 236; 1885, 353; 1889, 406; 1890, 387; 1895, 394 § 4; 1897, 247, 303. (See 1883, 242; 1886, 322; 1888, 405.)

Provision made for special judgments against insolvent debtors whose property is under attachment or brought within the control of the court. St. 1885, 59; 1892, 209. And where bond to dissolve attachment or prosecute review is given, and debtor discharged in composition proceedings. St. 1888, 405; 1895, 234 § 4. Sureties on bond to dissolve attachment of property of an insolvent debtor are released by the discharge of the debtor in insolvency. St. 1889, 470. (See 1898, 562 §§ 88, 89.)

Voluntary assignments are authorized and proceedings regulated. St. 1887, 340; 1897, 326.

Certain claims are to be preferred in settlements by receivers. St. 1897, 400.

Provision for revision of claims proved against insolvent estate of a deceased person. St. 1899, 81.

SECT. 3. Courts shall always be open for certain purposes except on legal holidays. St. 1895, 215. (See 1884, 141.)

SECT. 5. Commitments for contempt may be made to any jail. St. 1886, 224.

SECT. 15. See St. 1894, 164 § 4.

SECT. 16. See St. 1893, 405 § 1.

SECTS. 19, 93. Accidental delay or omission to file schedules not to defeat discharge. St. 1886, 290. Nor failure to keep proper books in certain cases. St. 1894, 496.

SECT. 26. Equitable liabilities may be proved. St. 1884, 293. (See 1897, 402, 427.)

SECT. 31 amended. St. 1899, 178 § 4.

SECTS. 36-38. See St. 1889, 420.

SECTS. 36, 91. Appeal is to be entered on next return day. St. 1885, 384 § 5.

SECT. 40. Non-resident assignees must appoint a resident agent. St. 1889, 313; 1893, 118. (See 1890, 420.) A trust company may be appointed assignee. St. 1899, 348.

SECT. 46. Voluntary assignments are valid against an assignee in insolvency, subsequently appointed, in certain cases. St. 1887, 340. (See 1898, 562 § 88.)

A mortgage, if recorded more than four months after its date, is not good against assignee in certain cases. St. 1888, 393.

SECT. 48 *et seq.* (See St. 1897, 120.)

SECTS. 64-66. Provision made for case of death of assignee after disposal of property and before settlement of accounts. St. 1891, 400.

SECT. 70. Fees of witnesses regulated. St. 1890, 277.

SECT. 84. No claim against a pledgee, created by an unauthorized sale of the collateral security, shall be discharged. St. 1885, 353 § 6. (See 1884, 236 § 9; 1890, 387; 1897, 427.)

SECT. 93 is amended. St. 1886, 322; 1898, 465. (See 1884, 236 § 7; 1885, 353 § 2; 1886, 290; 1894, 496.)

SECT. 96 *et seq.* A pledge or payment of a reasonable sum for legal services may be allowed. St. 1888, 420. (See 1897, 119.)

SECT. 99. If the debtor does not apply, the court may make an allowance to his wife or minor children. St. 1888, 67.

SECT. 102. Accounts must be sworn to. St. 1884, 126.

SECT. 103. Provision made for disposition of unclaimed dividends. St. 1883, 242; 1897, 303.

SECT. 104. Counsel fees may be allowed as a preferred claim. St. 1897, 119. (And see 1897, 400.)

SECT. 106 *et seq.* Provision for suit for dividend on unproved claims. St. 1897, 427.

SECT. 112 is revised. St. 1895, 209. (See 1890, 431; 1893, 405 § 2; 1894, 261.)

SECT. 115 is revised. St. 1894, 139.

SECT. 116 amended. St. 1893, 405 § 3.

SECT. 120 repealed and a substitute passed. St. 1894, 30. (See 1893, 405 § 4.)

SECTS. 127-130, 136. Provision made for insolvency proceedings by and against certain foreign corporations. St. 1890, 321.

SECT. 136 amended. St. 1897, 124.

SECTS. 137, 138 are repealed and fees established. St. 1895, 394. (See 1885, 353 § 4; 1889, 417; 1892, 359.)

SECT. 139 amended. Provable costs, expenses, etc., limited. St. 1892, 359. (See 1895, 394.)

SECT. 143. The registers shall make the returns. St. 1897, 89.

Chapter 158.—Of Judges and Registers of Probate.

Judges may act for or assist each other. St. 1892, 337; 1894, 377; 1899, 345. (See 1898, 65, 69.) Two judges in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

They may act in other counties. St. 1898, 131.

SECTS. 6–8. Register's accounts regulated. St. 1894, 183. (See 1887, 438; 1888, 275; 1890, 216, 306; 1893, 270; 1895, 493; 1897, 89; 1898, 548 § 251.)

SECT. 8. Registers shall send to the State treasurer copy of inventory of estates subject to a collateral succession tax. St. 1891, 425 § 10.

SECT. 10. Powers of registers enlarged. St. 1894, 199; 1897, 89, 147; 1898, 69.

SECT. 11. Additional assistants: Bristol; St. 1900, 144. Franklin; St. 1893, 151. Hampden; 1898, 234. Hampshire; 1899, 191.

SECT. 23. Salaries of judges in all the counties fixed. St. 1893, 469. Changed in Essex and Worcester. St. 1900, 408. (See as to Barnstable; St. 1887, 166. Berkshire; 1884, 192. Bristol; 1885, 165; 1889, 211. Dukes; 1885, 318. Essex; 1883, 244; 1888, 112. Middlesex; 1882, 129; 1886, 184; 1889, 251. Nantucket; 1890, 115. Norfolk; 1887, 72. Plymouth; 1886, 183. Suffolk; 1885, 203; 1893, 379. Worcester; 1885, 275.) Subsequent changes: Berkshire; 1898, 280. Hampden; 1894, 352. Middlesex, Junior; 1897, 383. (See 1894, 527.) See also 1892, 59.

Salaries of registers and assistant registers fixed. St. 1893, 469. Changes: Bristol; 1900, 144. Essex, assistant; 1900, 328. (See 1887, 273.) Hampden; 1898, 234. (See 1884, 248.) Hampshire; 1899, 191 § 2. Middlesex, assistant; 1900, 347. (See 1887, 259; 1891, 318; 1898, 520.) Worcester; 1899, 264. (See as to Berkshire; St. 1884, 192. Franklin, assistant; 1893, 151. Suffolk; 1882, 144; 1891, 91. Worcester; 1888, 152.)

SECTS. 23, 24. Allowance made for clerical assistance: Bristol; St. 1889, 136; 1900, 144 § 2. Essex; 1886, 114; 1895, 174. Hampden; 1896, 219. Middlesex; 1890, 192; 1893, 344; 1895, 459; 1898, 332. Plymouth; 1894, 322. Suffolk; 1885, 205; 1888, 280; 1889, 418; 1892, 230; 1893, 431; 1895, 364; 1897, 317. Worcester; 1887, 39; 1889, 209; 1894, 259; 1898, 117. (See 1899, 191 § 2.) And for travelling expenses in certain cases. St. 1896, 316.

SECT. 24. Shall not apply to Suffolk. St. 1885, 205 § 2. Or to Franklin. St. 1893, 151 § 2.

Chapter 159.—Of Clerks, Attorneys and Other Officers of Judicial Courts.

SECTS. 2, 5, 31. Clerical assistance provided for. St. 1893, 327; 1894, 136.

SECT. 3. Clerk shall forward to attorney-general copies of exceptions and reports in cases in which he appears for the Commonwealth. St. 1890, 374; 1895, 372. (See 1891, 356 § 5, 379 § 3; 1896, 413; 1898, 511, § 3.)

SECT. 4. Fac-simile of clerk's signature may be used on all processes except executions. St. 1886, 13.

SECT. 5. Clerk must deposit moneys not immediately needed. St. 1890, 215. (See 1887, 438 § 5.)

SECT. 6. When clerk is absent, county commissioners shall appoint one of their number clerk *pro tempore*, who shall be sworn. St. 1890, 198. In counties where there is no assistant clerk of courts, they may appoint a clerk *pro tem.*, who may be a woman. St. 1896, 384.

SECTS. 8, 9, 31. Assistants given: Essex; St. 1889, 444. Hampden; 1897, 220. Middlesex (2d); 1889, 11; (3d) 1896, 218. Suffolk; 1888, 153 (3d); 1889, 50 (4th); 1892, 87 (5th); 1895, 251 (equity); 1895, 393, 480 (6th); 1897, 334 (7th); 1899, 377. (See 1896, 413.) Signatures of assistants regulated. St. 1889, 215; 1895, 251. (See 1898, 238.)

SECT. 13. Return of oath required. St. 1894, 228.

SECT. 14. Bonds to be examined annually by controller of county accounts. St. 1893, 257.

SECT. 17. See St. 1882, 264 § 2.

SECTS. 27, 28. Accounting for fees, etc., regulated. St. 1887, 291, 438; 1888, 257; 1890, 209, 215, 216; 1891, 87, 236, 392, 416. (See 1890, 360, 440.)

Clerks must deposit public funds beyond what are required for immediate use. St. 1890, 215. Certain unclaimed funds are to be paid to the treasurer of the Commonwealth. St. 1890, 330.

SECTS. 29, 34. Salaries changed: Clerks: Supreme judicial court, Suffolk; St. 1887, 291. Superior court, Barnstable; 1892, 95. Dukes; 1887, 112. Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk and Worcester; 1888, 257. Assistant clerks: Bristol; St. 1898, 376. Essex; 1900, 329. Hampden; 1897, 220. Middlesex (1st and 2d); 1892, 187; (3d) 1896, 218. Norfolk; 1898, 518. Suffolk; 1885, 250; 1893, 153, 190. Worcester; 1891, 92. (See 1889, 11; 1890, 201; 1895, 251, 393, 480.) Salaries not payable until all fees are paid over. St. 1890, 209 § 3.

SECT. 33 is amended. St. 1898, 238; 1899, 350.

SECT. 34 is repealed and admission to the bar regulated. St. 1897, 508; 1898, 384. (See 1888, 257 § 5; 1898, 56, 206, 312.) Women may be admitted to practise. St. 1882, 139. (See 1883, 252; 1889, 197; 1896, 476.)

SECT. 37 *et seq.* An act relating to compensation of attorneys assigned by the court in murder cases. St. 1893, 394.

Disbarred attorneys who continue to practise, and persons falsely representing themselves to be attorneys, are subject to a penalty. St. 1891, 418. As to agreements to postpone cases, and engagements in another court, see St. 1884, 304; 1890, 154, 451.

SECT. 44. Word "suit," applies to any proceeding before any court. St. 1884, 170.

SECTS. 47, 48. Masters, assessors and referees, and arbitrators under chapter 188, upon whose awards judgment is entered, are to be paid by the county. St. 1883, 216; 1886, 51; 1887, 289.

They are to have no fees unless report is filed within ninety days. St. 1888, 282.

Provision for compensation of commissioners appointed to assess damages in certain cases. St. 1899, 458.

SECT. 51. Proceedings before auditors regulated. St. 1900, 418. The fee for a rule to an auditor is fixed at one dollar. St. 1888, 257 § 5.

The probate court may appoint auditors in certain cases. St. 1889, 311. (See 1894, 175.)

SECTS. 56-63. Publication of reports regulated. St. 1889, 471; Res. 1899, 51. Reporter's salary fixed, and allowance made for clerk hire and incidental expenses. St. 1892, 380. (See 1889, 471 § 4.)

SECT. 64 *et seq.* Number of officers in attendance regulated, their duties defined and compensation fixed, in Suffolk: Supreme judicial court; St. 1882, 232; 1886, 37; 1887, 243; 1890, 294. Superior court; 1886, 37; 1888, 357. (See 1882, 245 § 3; 1883, 54.) Middlesex supreme judicial and superior courts; 1892, 107; 1895, 246. (See 1895, 369; 1897, 342.)

And in probate and insolvency courts. St. 1887, 156, 243; 1894, 66; 1895, 246; 1898, 146; 1899, 423. (See 1884, 140.)

Uniforms required in certain cases. St. 1888, 371; 1891, 181; 1892, 107 § 5; 1895, 246 § 3.

SECTS. 72, 75 are revised. Provisions for appointment and compensation of stenographers. St. 1885, 291; 1887, 74; 1892, 133; 1893, 404, 452; 1894, 68, 330, 424; 1896, 459; 1897, 478. (See 1887, 24; 1889, 324; 1895, 153 § 2.)

Chapter 160. — Special Provisions respecting Courts and the Administration of Justice.

SECT. 4. When Christmas falls on Sunday the courts are not open on the following day. St. 1882, 49. The first Monday of September is "Labor's holiday." St. 1887, 263. Fast day abolished and April 19 made a holiday. St. 1894, 130; 1896, 162. (See 1888, 254; 1897, 431 § 1; 1898, 488.)

SECT. 5. See St. 1896, 247.

SECTS. 8-10. The laws as to naturalization are revised; jurisdiction is given to the lower courts. St. 1885, 345; 1886, 45, 203; 1887, 36, 329; 1891, 180, 419; 1892, 348; 1900, 374. (See 1884, 298 § 38; 1888, 257 § 4; 1893, 376, 417 § 237.)

SECT. 9 is repealed; primary declarations may be made at any time. St. 1886, 45; 1891, 180.

Chapter 161. — Of the Commencement of Actions and the Service of Process.

The assignee of a non-negotiable chose in action may sue in his own name. St. 1897, 402.

In an action on a probate bond the wife of the judge may be a defendant. St. 1896, 208.

Two or more persons may join in suit against same defendant to recover not exceeding twenty dollars due to each for manual labor. St. 1896, 444.

SECT. 1. See St. 1893, 396 § 13; 1894, 398.

When a person loses his life through negligence of another or such other's employees, executor or administrator of deceased may recover from \$500 to \$5,000 in action of tort. St. 1898, 565.

SECT. 1 applies to equity suits. St. 1883, 223 § 13. (See 1889, 454 § 5; 1894, 309.)

SECT. 1-12. The supreme judicial and superior courts may change the venue in certain cases. St. 1887, 347.

SECT. 10. The motion may be filed within thirty days after the day for appearance. St. 1885, 384 § 14. (See 1892, 169.)

SECT. 13 *et seq.* All civil actions, at law or in equity (except replevin) in the supreme judicial and superior courts, may be commenced in either form. St. 1887, 383. (See 1898, 457.)

Fac-simile of clerk's signature may be used on certain processes. St. 1886, 13. (See 1885, 321.)

SECT. 14. See St. 1896, 247; 1898, 397. Attachment is dissolved by appointment of receiver. St. 1898, 420.

SECTS. 23, 27. Terms are abolished and writs are returnable on first Monday of each month. St. 1885, 384. No original writ issued by a trial justice, or district, police or municipal court, shall be returnable more than sixty days from date. St. 1892, 148; 1893, 396 § 17.

SECT. 26. See St. 1898, 397.

SECTS. 32, 34, 36. See St. 1884, 330 § 1; 1890, 321; 1894, 384; 1900, 261.

SECTS. 38-60. The right to attach the property of newspaper offices is limited. St. 1890, 377. (See 1897, 404; 1898, 420.)

SECT. 41 extended to arrest of the person. St. 1896, 247.

SECT. 62. All attachments must be deposited in the registry of deeds. St. 1889, 401. (See 1892, 289; 1897, 463; 1898, 562 §§ 71-79.)

SECTS. 74-83. See St. 1890, 377 § 2.

SECT. 84. Justices of the supreme judicial or superior court may order clerk to issue process in cases pending in another county. St. 1886, 223; 1896, 413. (See 1885, 384 § 3.)

SECT. 88. See St. 1898, 397.

SECTS. 110-119 apply to actions before police, district and municipal courts. St. 1900, 447 § 2.

SECT. 113 is amended. St. 1900, 447.

SECT. 120 is repealed. St. 1900, 447 § 3.

SECT 121. "Unreasonable" added. Attachment may be discharged. St. 1897, 460. (See 1898, 397.)

SECT. 122 *et seq.* A fidelity insurance company may be the only surety. St. 1894, 522 § 61. (See 1884, 296 § 3; 1887, 214 § 61; 1899, 348.) Bonds must contain a provision for special judgments under St. 1888, 405. (See 1885, 59.) The sureties are released by principal's discharge in insolvency proceedings begun within four months. St. 1889, 470. Office of commissioner of insolvency abolished. St. 1895, 100. Provision for dissolution of attachment by deposit of money. St. 1897, 404. (See 1898, 420.)

SECT. 127. See St. 1892, 359.

Chapter 162. — Of Arrest, Imprisonment, and Discharge.

A person under arrest by a constable on mesne process or execution may be further arrested by deputy sheriff on a writ or execution which a constable is not authorized to serve. St. 1896, 247.

SECT. 1. Office of commissioner of insolvency abolished. St. 1895, 100.

SECTS. 1, 2. Provision for reduction of ad damnum or discharge of defendant. St. 1898, 397. (See 1898, 411.)

SECTS. 3-15. Provisions relative to female poor debtors. St. 1897, 466.

SECTS. 17, 18, 20, 25, 27, 28, 33, 34, 54 are amended. Poor debtor proceedings are regulated. St. 1888, 419; 1889, 415; 1890, 128; 1891, 271, 313, 407; 1893, 62; 1897, 382, 466; 1898, 559. (See 1887, 442; 1894, 184; 1895, 308.)

The place of proceedings is fixed. St. 1894, 184.

SECTS. 17, 18. Notice of examination must be given under either of the charges in section 17. St. 1887, 442. Affidavit may be made at any time before the certificate is issued. St. 1891, 407. (See 1897, 466.)

SECT. 27. See St. 1896, 247; 1898, 397.

SECTS. 32, 34. A debtor shall not suffer default by reason of the absence or disability of the magistrate, if a new notice is issued within three days. St. 1887, 442 §§ 3, 4.

SECT. 36. If recognizance is not satisfactory debtor may be imprisoned. St. 1889, 415 § 4. (See 1898, 397, 559.)

SECTS. 36, 51. See St. 1889, 415 § 12; 1898, 559.

SECT. 68. The fees are changed, and the mode of their recovery. They are to be accounted for. St. 1888, 419 § 13; 1889, 415 §§ 6, 7; 1891, 313; 1893, 62. (See 1897, 466 § 2.)

Chapter 163. — Of Bail.

SECTS. 1, 2. See St. 1898, 397, 411.

SECT. 4. Office of commissioner of insolvency abolished. St. 1895, 100.

SECT. 12 is amended. The bail is discharged on paying costs, if the principal dies. St. 1884, 260.

SECT. 22. See St. 1898, 397, 411.

Chapter 164. — Of Proceedings against Absent Defendants, and upon Insufficient Service.

Provision made for service on foreign corporations. St. 1884, 330 § 1; 1889, 393; 1890, 321; 1900, 261. (See 1894, 381.)

SECT. 6. Notice must be given within one year to a non-resident of attachment of his real estate. St. 1884, 268. (See 1892, 289.) Personal service may be ordered in certain cases. St. 1894, 384.

SECT. 7 amended as to time for appearance. St. 1885, 384 § 8.

Chapter 166.—Of Actions by and against Executors and Administrators.

In actions against estate of a deceased person, supported by oral testimony of a promise or statement made by the deceased, evidence of his statements, memoranda, acts and habits tending to disprove the statement is admissible. St. 1896, 445. (See 1898, 535, 565.)

Chapter 167.—Of Pleading and Practice.

Court terms are abolished, return days changed and practice regulated. St. 1883, 223; 1884, 304, 316; 1885, 384; 1886, 281; 1887, 332, 380, 383; 1890, 154, 374, 398, 451; 1891, 227, 362; 1892, 440; 1893, 61; 1897, 472; 1898, 397, 411, 420; 1899, 352. (See 1894, 173; 1896, 220; 1897, 431; 1898, 457, 489.)

Provision for simplification of criminal pleadings. St. 1899, 409.

Where there are two or more shire towns, court may designate the shire town at which an action shall be tried. St. 1882, 264 § 2.

An act to facilitate collection of small debts for manual work or labor. St. 1896, 444.

An act to provide an equitable process after judgment, in certain cases. St. 1898, 549; 1899, 445.

All civil actions at law or in equity (except replevin) in supreme judicial or superior court may be begun by bill or petition, or by writ with bill or petition inserted, and relief given as the case requires. St. 1887, 383.

An act relative to actions upon assigned claims. St. 1897, 402.

Provisions in regard to new trials and reduction of verdicts. St. 1897, 472. In regard to proceedings in cases pending in other counties. St. 1886, 223; 1892, 127; 1896, 413.

Claimants of funds in defendant's hands may be summoned in and the parties required to interplead. St. 1886, 281. (See 1883, 62; 1888, 345; 1899, 352.)

SECTs. 2-10. A form for declaring for recovery of interest is established. St. 1890, 398.

SECT. 8. If copy is not furnished, the action may be discontinued on motion. St. 1894, 405.

SECT. 9 amended. On failure to file a declaration the action may be dismissed on motion. St. 1885, 384 § 6.

SECTs. 9, 11-20, 24-29, 40, 41 and 81 apply to actions in district and police courts. St. 1893, 396 § 23.

SECT. 11. Demurrers in equity regulated. St. 1883, 223 § 10. (See 1887, 383 § 2.)

SECT. 13 *et seq.* Any matter which in equity would entitle the defendant to be absolutely relieved from plaintiff's claim may be alleged. St. 1883, 223 § 14; 1887, 383.

SECT. 42. Provision for interpleader in certain cases. St. 1886, 281; 1899, 352.

SECT. 43. The superior court retains jurisdiction although the action be changed to equity. St. 1883, 223 § 17; 1887, 383 § 3.

SECTS. 46, 47 are repealed, and new provisions made as to defaults. St. 1885, 384 §§ 7-11.

SECT. 48. Provision for speedy trial in certain cases. St. 1894, 283, 547; 1897, 381.

SECT. 63. See St. 1899, 357 § 2.

SECTS. 64, 67 *et seq.* Provision made for postponement, etc., of cases on trial list. St. 1884, 304; 1890, 154, 451. (See 1890, 420.)

The superior court may regulate publication and distribution of trial lists. St. 1896, 401. (See 1889, 459.)

An attorney when actually engaged in the trial of a cause in the supreme judicial or superior court is not obliged to proceed to trial of another cause, unless the court deems it just and reasonable. St. 1890, 451.

SECT. 65. See St. 1893, 396 § 20.

SECT. 67. Appeals regulated. St. 1899, 357.

SECT. 69. Time for filing claim for jury trial extended. St. 1894, 357. (See 1899, 408 § 33.)

SECT. 70. See St. 1882, 239; 1894, 412.

SECT. 77. See St. 1894, 424 § 9.

SECT. 80. Retraction of libel may be proved in mitigation of damages. St. 1897, 525. (See 1895, 441.)

SECT. 89. See St. 1893, 396 § 23.

SECT. 90. District court of Hampshire is added. St. 1891, 139. Police courts may order defendant to answer. St. 1886, 64.

Chapter 168.—Of Set-off and Tender.

SECT. 8 not to apply to proceedings by savings banks against depositors therein. St. 1894, 317 § 32.

Chapter 169.—Of Witnesses and Evidence.

Treatment of witnesses in custody regulated. St. 1894, 160, 270. Compensation allowed for detention in jail. St. 1894, 406. (See 1892, 361; 1894, 273.)

Provision for pay of interpreters and witnesses from without the Commonwealth in certain criminal cases. St. 1893, 385.

As to admission of declarations of deceased persons. See St. 1889, 100; 1896, 445; 1898, 535.

SECT. 1 is revised and right to issue summonses extended. St. 1885, 141; 1889, 197. (See 1883, 252; 1884, 247; 1896, 476; 1898, 187.)

SECT. 5. See St. 1886, 224.

SECTS. 7, 8 are revised. St. 1900, 267. (See 1882, 267.)

Justices of supreme judicial or superior court may compel attendance of witnesses before tribunals having power to summon, but not to compel attendance. St. 1883, 195. They may compel witness to testify. St. 1898, 374.

SECT. 18. See St. 1896, 445.

SECTS. 28, 41. The taking of depositions is regulated. St. 1883, 188; 1899, 123.

SECT. 41 is amended. St. 1899, 123 § 1.

SECT. 54 is amended. Notice to non-resident parties is provided for. St. 1882, 140.

SECT. 66 is amended. St. 1899, 123 § 2.

SECTS. 69, 70. Attested copies of rules of boards of aldermen, ordinances of cities, by-laws of towns and records of cities and towns are admitted. St. 1889, 387. And sworn copies of records, books and accounts of savings banks. St. 1885, 92. Verified copies from authorized stenographic notes may be received in evidence of testimony previously given in superior court. St. 1894, 424 § 9; 1896, 459 § 7. (See 1895, 153; 1896, 451.)

Chapter 170. — Of Juries.

A uniform system of preparing jury list and empanelling juries is established. St. 1897, 516. (See 1894, 514.)

SECT. 2. Assistant clerks and all regularly appointed court officers are exempted. St. 1896, 427.

SECT. 6. County of Nantucket added. St. 1891, 181.

SECT. 7. Publication of lists of jurors provided for. St. 1894, 514 § 3.

SECT. 19. Venires for jurors for the supreme judicial court in Barnstable regulated. St. 1889, 173.

SECT. 12. See St. 1892, 107 § 4.

SECT. 17. Drawing jurors in cities regulated. St. 1894, 514. (See 1897, 516 § 7.)

An act relative to the travelling expenses of jurors. St. 1899, 383.

SECTS. 23-32 are repealed. St. 1897, 516 § 10. (See 1888, 123.)

SECT. 35. Jurors may be examined by parties or their attorneys, under direction of the court. St. 1887, 149.

SECTS. 36, 37. See St. 1895, 120.

Chapter 171. — Of Judgment and Execution.

Judgments, orders and decrees must bear date of entry. St. 1885, 384 § 13.

An act relative to the issuing of executions in suits founded on a judgment previously rendered. St. 1898, 489.

An act to provide an equitable process after judgment in certain cases. St. 1898, 549; 1899, 445.

No judgment or decree affecting title to real estate shall be valid against third parties without notice, unless recorded. St. 1892, 289; 1897, 463; 1898, 562 § 80. (See 1889, 401.)

SECTS. 1, 17-24. Provision for special judgments against insolvents whose property is attached, or under control of a court of equity on a creditor's bill or otherwise. St. 1885, 59; 1892, 209. And where bond is given to dissolve attachment or prosecute review, and defendant is discharged in composition proceedings. St. 1888, 405. (See 1884, 236; 1886, 353; 1895, 234.)

SECT. 34. Certain funds of charitable and relief societies are exempted. St. 1886, 125 § 2; 1890, 181, 421 § 23. Also military equipments. St. 1893, 367 § 71. (See 1885, 183 § 11; 1887, 214 § 73, 411 § 71; 1890, 421 § 23; 1892, 372; 1893, 434; 1894, 522 § 73.)

SECT. 39. When a sale has been enjoined court may order adjournments until further order. St. 1884, 175.

SECTS. 52, 53. Provision made for record of seizure in cases where the levy is suspended on account of a prior attachment. St. 1887, 407.

SECT. 54. In case of sickness or absence of the officer another may be delegated. St. 1885, 125.

Chapter 172.—Of the Levy of Execution on Real Estate.

SECT. 22. Execution and certificate must be recorded in clerk's office. St. 1895, 437. (See 1898, 562 § 70.)

SECT. 30. Enjoined sales may be adjourned by the court granting the injunction. St. 1884, 175.

SECTS. 32, 49. Right of redemption extended to lands set off. St. 1886, 86.

SECT. 45. Levy shall be considered as made at the time when the land is taken. St. 1896, 464.

Chapter 173.—Of the Writ of Entry.

The supreme judicial court no longer has original jurisdiction of writs of entry. St. 1892, 169.

SECT. 2. Notwithstanding disseizin or adverse possession a conveyance of real estate otherwise valid vests in the grantee the rights of entry and of action for recovery. St. 1891, 354. (See 1898, 562.)

Chapter 174.—Of the Writ of Dower.

SECT. 7. See St. 1898, 562 § 84.

Chapter 175.—Of the Summary Process for the Recovery of Land.

SECT. 1 amended. St. 1899, 120. (See St. 1891, 354; 1898, 562; 1899, 131.)

SECT. 2 et seq. See St. 1893, 396 §§ 12, 13, 25, 29, 423 § 27; 1894, 398, 431; 1898, 488.

SECT. 5. Provision for storage of property removed from premises. St. 1899, 412.

SECTS. 6-8. A bond instead of a recognizance is to be given. St. 1888, 325. (See 1898, 457, 514, 562 § 82.)

Chapter 176.—Of Petitions for the Settlement of Title.

This chapter is repealed and a substitute enacted. St. 1893, 340. (See 1897, 522; 1898, 457, 562.)

Provision made for barring action on an undischarged mortgage after possession by the mortgagor for twenty years without act of recognition. St. 1882, 237; 1885, 283; 1890, 427 § 1. (See 1889, 442; 1898, 562 §§ 85, 106.)

Provision made for determining the validity, nature and extent of con-

ditions, restrictions, reservations, stipulations, etc., more than thirty years old, appearing of record. St. 1889, 442; 1890, 427 § 2; 1897, 522; 1898, 457; 1899, 444. (See 1882, 237; 1885, 283; 1898, 514.)

Chapter 178.—Of the Partition of Land.

SECT. 2. Original jurisdiction of petitions for partition taken from supreme judicial court. St. 1892, 169. (See 1898, 562.)

SECTS. 2, 9, 75 extended. Land in different counties may be divided in one proceeding. St. 1888, 346. (See 1889, 468.)

SECT. 12. See St. 1896, 456.

SECT. 13. The right to remove petitions for partition under this section is taken away. St. 1892, 169 § 2. (See 1885, 384 § 14.)

SECT. 45 *et seq.* The probate court may set off his share to petitioner and allow the residue to remain in common. St. 1885, 293. (See 1887, 286; 1888, 346; 1894, 104.)

No petition for partition shall be defeated because a party has paid off an incumbrance which other parties were entitled to redeem, but the decree shall prescribe terms of redemption. St. 1889, 468.

SECT. 51. Words "newspaper or" inserted. St. 1882, 55.

SECTS. 52, 53. See St. 1896, 456.

SECT. 57 repealed. St. 1895, 118.

SECT. 63 amended. St. 1882, 6 § 2.

SECTS. 64-75. Provision made for partitions where there are estates for life or for a term of years, and a remainder-man. St. 1887, 286.

SECT. 65 amended. St. 1894, 104. (See 1885, 293; 1887, 286.)

SECT. 75. See St. 1888, 346 § 3.

Chapter 179.—Of Waste and Trespass on Real Estate.

SECT. 1. See St. 1898, 562 § 84.

Chapter 180.—Of Actions for Private Nuisances.

Fences and other like structures over six feet in height, maliciously erected or maintained, are declared private nuisances. St. 1887, 348.

Chapter 181.—Of the Redemption and Foreclosure of Mortgages.

See an act to provide for registering and confirming titles to land. St. 1898, 562 §§ 60-63.

SECTS. 3, 9. Original jurisdiction of writs of entry for foreclosure taken from the supreme judicial court. St. 1892, 169.

SECT. 17. The notice may be given in some newspaper in the county if there is none in the town. St. 1882, 75.

SECT. 18. See St. 1898, 562 § 63.

SECT. 27. The mortgagee may proceed with a sale already advertised unless the amount due is paid into court or the sale enjoined. St. 1888, 433.

SECT. 42 shall not apply to foreclosures under power of sale mortgages. St. 1896, 203.

Chapter 182.—Of Informations for Intrusion and for the Recovery of Lands of the Commonwealth.

See St. 1898, 562 § 88.

Chapter 183.—Of the Trustee Process.

SECT. 1. See St. 1883, 223 § 11.

SECT. 3. Where a trustee is made a party for the purpose of giving jurisdiction in the county where the trustee resides, the parties not residing there, the action may be transferred. St. 1893, 285.

SECT. 4. See St. 1893, 396 § 13; 1894, 398, 431.

SECT. 7 extended to trial justices. St. 1887, 83. As to time of return, see St. 1893, 396 § 17; 1894, 398.

SECT. 10. Appearance and answer must be within ten days from the return day of the writ. St. 1885, 384 § 9.

SECT. 24. See St. 1898, 420.

SECT. 29 *et seq.* The wages or lay of seamen are exempted. St. 1886, 194. But not of fishermen. St. 1890, 289.

SECT. 30. Exemption to be twenty dollars unless writ shows that the action is for necessities. St. 1900, 191.

SECT. 34. Certain funds of charitable and relief societies and assessment insurance companies are not liable to attachment. St. 1886, 125 § 2; 1890, 181, 421 § 23; 1898, 474 § 17. (See 1885, 183 § 11; 1887, 214 § 73, 270 § 6; 1892, 372; 1894, 522 § 73.)

SECT. 35. Provision for interpleader. St. 1886, 281. (See 1899, 352.)

SECT. 38. Provision is made for executions in favor of claimants. The provision as to proceedings under chapter 161, sections 80, 82, 83, is omitted. St. 1888, 345. (See 1883, 62; 1886, 281.)

SECT. 39. See St. 1898, 577.

SECT. 71. See St. 1897, 404.

SECT. 73. In a suit by the defendant against the trustee, pending the trustee process, the costs are in the discretion of the court. St. 1883, 62. (See 1886, 281; 1888, 345.)

Chapter 184.—Of the Replevin of Property.

In case of appeal from the lower courts by the plaintiff, no bond, recognition or deposit is required. St. 1893, 396 § 29. (See 1890, 224.)

SECTS. 18, 19. Sureties may be approved by a justice of a police, district or municipal court. St. 1895, 388. (See 1894, 522 § 61.)

Chapter 185.—Of Habeas Corpus and Personal Replevin.

Probate courts are given jurisdiction in cases of alleged restraint of personal liberty. St. 1894, 536.

SECT. 8. Provision for habeas corpus in poor debtor proceedings. St. 1888, 419 § 12; 1898, 559.

SECT. 18 is amended. St. 1882, 6 § 3.

SECTS. 21-23. See St. 1898, 411.

Chapter 187.—Of Writs of Error and Writs of and Petitions for Review.

Upon a writ of error or other proceeding to reverse or avoid a conviction, or discharge a prisoner, the fact that the person was under seventeen years of age shall not be deemed material. St. 1892, 266.

SECTS. 16-39 are repealed and revised. St. 1895, 234. (See 1882, 249; 1888, 405 § 3; 1893, 396 § 33.)

Chapter 188.—Of Reference to Arbitration.

The fees of arbitrators under this chapter, upon whose awards judgment is entered, are to be paid by the county. St. 1887, 289. (See 1883, 216; 1886, 51.)

SECT. 2 revised. St. 1899, 178 § 5.

SECT. 13 amended. St. 1899, 178 § 6.

Chapter 189.—Of Improving Meadows and Swamps.

SECTS. 4-7. See St. 1898, 562 § 78.

SECT. 15. "Return day" is substituted for "court held." St. 1885, 384 § 5.

Chapter 190.—Of Mills, Dams and Reservoirs.

SECT. 22. See St. 1898, 562 § 78.

SECT. 48 is extended to any stream, on certain conditions. St. 1892, 55. (See 1889, 383.) Dam may be erected to make an ice pond in certain cases. St. 1898, 480.

SECT. 53 *et seq.* County commissioners may examine dams and reservoirs upon their own judgment, and proceed as if application had been made to them. St. 1891, 315; 1893, 99.

Chapter 191.—Of Liens on Buildings and Lands.

See land registration act. St. 1898, 562 §§ 70-79.

Provision for speedy trials in superior court, Suffolk. St. 1894, 283, 547; 1897, 381.

SECT. 1 is amended. St. 1900, 256.

SECT. 6. Certain inaccuracies not to invalidate the statement if parties were not misled. St. 1892, 191.

SECT. 12 is repealed. St. 1888, 344 § 4.

SECTS. 13, 16, 17 are revised, and new method of procedure prescribed. St. 1888, 344. District and police courts have jurisdiction when the claim does not exceed one thousand dollars. St. 1893, 396 § 12.

SECT. 34 is repealed. St. 1900, 466.

SECTS. 42, 43. Any person to whom a debt would be payable for labor or materials, if it were not for a lien, may dissolve such lien by bond. St. 1890, 383. Sureties may be approved by a justice of a police, district or municipal court. St. 1895, 404.

SECT. 45. Creditor's attorney may discharge lien. St. 1891, 244. (See 1896, 443 § 7.)

Chapter 192. — Of Mortgages, Conditional Sales, Pledges and Liens on Personal Property.

An act to regulate the making of loans upon deposits or pledges of personal property. St. 1895, 497; 1898, 515. (See 1894, 416; 1896, 183.)

The provisions of this chapter shall not apply to contracts under St. 1894, 326. (See 1884, 313; 1892, 411.)

SECTS. 1, 2 are repealed, and new provisions made as to recording. St. 1883, 73.

SECT. 6 not repealed or affected by St. 1892, 428, nor by 1898, 577. (See 1888, 388; 1890, 416 § 6.)

SECTS. 7, 10. See St. 1892, 428 § 4.

SECTS. 10-12. Debts or claims against a pledgee, created by an unauthorized sale of the collateral, are not discharged in insolvency. St. 1885, 353 § 6. (See 1884, 236 § 9.)

The discharge of, and redemption of security for, small loans regulated. St. 1888, 388; 1890, 416; 1892, 428; 1898, 577. (See 1885, 252; 1888, 243; 1895, 497.)

Mortgages of household furniture are regulated in certain cases. St. 1892, 428 § 3.

SECT. 13. Conditional sales of furniture or household effects are regulated. St. 1884, 313; 1892, 411; 1898, 545. (See 1894, 326.)

SECT. 15. Time for filing statement extended. St. 1896, 404.

SECT. 24. Courts in the county where the petitioner has his usual place of business also have jurisdiction. St. 1888, 46.

SECT. 26 amended to conform to section 24. St. 1893, 173.

SECT. 31. Lodging-house keepers added. St. 1897, 292. Disposition of unclaimed baggage, etc., regulated. St. 1893, 419; 1894, 181. (See 1897, 305.)

Chapter 195. — Of the Collection of Claims against the Commonwealth.

SECT. 1 is extended to all claims, whether at law or in equity, except those mentioned in section 7. They are subject to set-off. St. 1887, 246. (See 1895, 141 § 2.)

Chapter 196. — Of the Limitations of Real Actions and Rights of Entry.

SECT. 11. Not to apply to certain province lands. St. 1893, 470. (See St. 1898, 562.)

Chapter 197. — Of the Limitation of Personal Actions.

Actions to recover forfeitures for selling liquor to a minor are limited to two years. St. 1889, 390.

Actions by and against assignees in insolvency are limited. St. 1895, 482.

Chapter 198. — Of Costs in Civil Actions.

When two or more cases are tried together the costs may be reduced by the presiding judge. St. 1892, 231.

SECT. 25 is revised. Time of hearing appeals changed. St. 1882, 235.

SECTS. 28-31. Term fees are limited. St. 1882, 264.

SECT. 32. Fees in bastardy cases revised. St. 1897, 237; 1899, 333.

Chapter 199. — Of the Fees of Certain Officers.

In criminal cases, if the complaint is unfounded, frivolous or malicious, the magistrate may refuse to allow fees to complainant. St. 1890, 440 § 13.

SECT. 2. In police, district and municipal courts no court fees are allowed in criminal cases. St. 1890, 256.

SECTS. 2, 3. The fees of trial justices and mode of approval and certification are established. St. 1890, 353; 1891, 325; 1892, 200 § 3; 1893, 396. (See 1890, 440; 1892, 160.) Fees in bastardy cases revised. St. 1897, 237; 1899, 333.

SECTS. 4, 5. The entry fee covers all clerks' fees, except in certain cases. St. 1888, 257; 1889, 433; 1890, 209; 1891, 87; 1898, 204. (See 1890, 360.) Price of writs regulated. St. 1899, 91.

SECT. 6. Fees for summoning witnesses in criminal cases fixed. St. 1882, 215. (See 1890, 440 §§ 1, 7; 1892, 200; 1893, 414; 1898, 204; 1899, 412.)

SECT. 9 is revised. Certain charges for horse hire are allowed. St. 1885, 254.

SECT. 10 *et seq.* See St. 1890, 440; 1893, 396 § 62; 1898, 204.

SECT. 12 is amended. St. 1899, 218.

SECT. 13. Provision as to travelling expenses. St. 1899, 383.

SECT. 14. Fees of witnesses in insolvency proceedings regulated. St. 1890, 277. (See 1890, 440 § 6; 1892, 231; 1893, 385.)

SECTS. 14, 39. When two or more cases are tried together the presiding judge may reduce the fees and costs. St. 1892, 231.

SECT. 15 repealed. Appraisers' fees regulated. St. 1886, 135.

SECT. 17. See St. 1899, 387.

SECT. 20. Fees are paid to county, and registers and assistants paid by salary. St. 1895, 493. (See 1892, 253 § 2; 1896, 172.) Fee for discharge of attachment or mechanic's lien. St. 1896, 443 § 7.

SECTS. 23-27 apply to registers of probate and insolvency. St. 1893, 469 § 2. (See 1896, 316.)

SECTS. 30, 34 *et seq.* Officers' fees, costs and expenses regulated. St. 1890, 440; 1891, 70, 325, 392; 1892, 200; 1893, 396 § 62; 1898, 204. (See 1889, 469; 1890, 166; 1892, 231.)

SECTS. 32, 39. See St. 1892, 231.

Chapter 200. — Of the Rights of Persons Accused.

Police matrons and stations for detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Male and female prisoners shall not be carried to or from court together in certain cities. St. 1894, 273.

SECT. 2. See St. 1899, 389.

Chapter 202. — Of Offences against the Person.

Criminal pleadings regulated. St. 1899, 409.

SECTS. 15, 16. Public boxing matches and private boxing matches for a prize or reward are prohibited. St. 1896, 422.

SECT. 27. Punishment modified and "age of consent" raised. St. 1893, 466. (See 1886, 305; 1888, 391.)

Abandonment of infant. St. 1882, 270; 1889, 309; 1892, 318.

Chapter 203. — Of Offences against Property.

Criminal pleadings regulated. St. 1899, 409.

The following are made offences:—

False statements of the distance travelled or to be travelled with a hired horse, or refusal to pay the hire. St. 1882, 236.

Violation of law as to weekly payment of wages. St. 1896, 241. (See 1895, 438; 1898, 505; 1900, 470.)

Obtaining, by false representations, certificates or transfers of registration, and giving false pedigrees of cattle, horses, etc. St. 1887, 143; 1890, 334.

Entering or driving a horse disguised, or different from the one purported to be entered, to compete for a purse or premium. St. 1892, 167.

False representations to overseers of the poor, etc., for purpose of causing any person to be supported as a pauper. St. 1891, 343.

Selling goods marked silver, sterling silver or coin silver, containing less than the required proportion of pure silver. St. 1894, 292.

Injury to county buildings. St. 1899, 196. And injury to historical monuments. St. 1899, 358.

Injuring property or unlawful diversion of electricity of an electric lighting company. St. 1895, 330. Violation of park regulation. St. 1896, 199. Making false report to savings bank commissioners. St. 1896, 327.

SECTS. 10, 11 amended. The penalties are modified. St. 1888, 135.

SECT. 16 extended to railroad cars. St. 1896, 389.

SECT. 19 *et seq.* The crime of larceny is defined. St. 1899, 316.

SECT. 20. The penalties are changed in certain cases. St. 1889, 458.

SECTS. 20, 37, 40. The embezzlement of property of voluntary associations is made a crime. St. 1884, 174; 1886, 328. (See 1887, 214 §§ 98–110; 411 § 77; 1894, 367 § 17; 522 §§ 98–110; 1898, 474 § 18.)

And of money, stocks or securities held by brokers under written directions for their disposal. St. 1892, 138. (See 1890, 437 § 3.)

SECT. 21. And the mutilation of a will. St. 1890, 391.

SECT. 43. Penalty for destroying or removing from order boxes orders to carriers for hire. St. 1895, 481. And for stealing bicycles. St. 1897, 409.

SECT. 54. See St. 1894, 450 § 2, 452 § 2, 472, 476.

SECT. 56 is extended to agents, clerks, etc., of persons or firms, and to omissions to make true entries. St. 1885, 223.

SECT. 58. Fraudulent use of certain insignia is made an offence. St. 1887, 67; 1891, 15; 1894, 27, 117.

SECTS. 63, 64 extended to labels, stamps and trade-marks of labor and trade associations. St. 1890, 104. (See 1893, 443; 1894, 285; 1895, 462; 1899, 359.)

SECT. 79. Wilful detention or mutilation of books, etc., of public or incorporated libraries are offences. St. 1883, 77, 81.

SECT. 95. See St. 1893, 403; 1897, 254.

SECT. 99. Provision is made to prevent trespass on private land by persons with fire-arms, the defacing of notices, etc. St. 1884, 308; 1890, 403, 410. (See 1886, 276 § 4.)

And on lands appurtenant to prisons or houses of correction. St. 1885, 303.

SECT. 101. The tearing down, removal or defacing of a warrant, voting or jury list, or other legal notice, is made punishable. St. 1883, 156; 1887, 147; 1888, 436 § 28; 1889, 413 § 28.

SECT. 102 is revised. St. 1898, 500.

SECT. 103. Municipal, district and police courts are given concurrent jurisdiction in certain cases. The penalty is regulated. St. 1893, 396 § 39; 1897, 180, 349. (See 1887, 293 § 2; 1897, 387, 529.)

The wilful defacing and misuse of milk cans is made an offence. St. 1885, 133.

SECT. 106. The penalty is increased. One-half the fine is to go to the informant. St. 1889, 399.

SECT. 107-109. The wilful or negligent setting of fires is made a crime. St. 1882, 163; 1886, 296; 1897, 254.

Wilful or wanton destruction of property by a convict is punishable. St. 1891, 295; 1896, 344.

Chapter 204. — Of Forgery, and Offences against the Currency.

Criminal pleadings regulated. St. 1899, 409.

SECT. 1. See St. 1898, 562 §§ 111-114.

Chapter 205. — Of Offences against Public Justice.

Criminal pleadings regulated. St. 1899, 409.

The following are made offences: Procuring fraudulent divorces. Unlawfully issuing certificates of divorce. Advertising, by one not a member of the bar, the business of procuring divorces. St. 1886, 342; 1887, 320; 1891, 59. Practising law after disbarment; or falsely representing one's self to be an attorney-at-law. St. 1891, 418. Certain payments of expenses of naturalization. St. 1893, 417 § 237. (See 1892, 416; 1893, 376.)

Interference with police signal system. St. 1888, 291.

Trespass on lands appurtenant to prisons, disturbance of prisons and illicit communication with prisoners. St. 1885, 303. And illicit conveyance of articles to or from the men's reformatory prison. St. 1887, 339. Offences under election laws. St. 1898, 548 §§ 377-416. (See 1892, 330; 1893, 417 §§ 309-344; 1894, 437; 1895, 287 § 2; 1897, 530.) Standard record inks. St. 1898, 510.

Commitments for contempt may be made to any jail and served in any county. St. 1886, 224.

SECT. 1. Penalty modified. St. 1892, 123.

SECTS. 9, 10 are extended. St. 1891, 349; 1892, 416.

SECTS. 11, 12 extended to county officers. St. 1893, 271.

SECT. 20. Wilful delay in service of warrant is punishable. St. 1899, 389.

SECT. 23 amended. St. 1899, 178 § 7.

SECT. 24 revised. St. 1899, 178 § 8.

SECT. 26. See St. 1898, 389.

Chapter 206.—Of Offences against the Public Peace.

SECT. 13 amended. Penalty increased. St. 1897, 385. (See 1899, 409.)

Chapter 207.—Of Offences against Chastity, Morality and Good Order.

Criminal pleadings regulated. St. 1899, 409.

Punishments are provided: For keeping or resorting to a place where opium is used. St. 1885, 73; 1895, 194. For the exhibition of deformed persons. St. 1884, 99. For unnatural and lascivious acts. St. 1887, 436. For sending to, or detaining in, a house of ill-fame any female as an inmate or servant. St. 1888, 311. For immoral shows or entertainments. St. 1896, 339. Violating a park regulation. St. 1896, 199. Violating bicycle regulations. St. 1897, 479; 1898, 121.

SECT. 2. Further provision made against seduction, unlawful intercourse and assistance thereto. St. 1886, 329; 1888, 311. (See 1898, 444.)

SECT. 9. The dying declarations of the woman are admissible in evidence. St. 1889, 100. (See 1898, 535.)

SECT. 15 is extended and revised. St. 1894, 433; 1895, 162. (See 1890, 70.)

The gift, sale or distribution, to or by minors, of papers devoted to criminal news is punishable. St. 1885, 305.

SECTS. 20, 29, 34, 35. Disorderly or indecent speech or behavior in public conveyances is punishable. St. 1883, 102. (See 1899, 238.)

SECT. 22 is extended to licensed picnic groves. St. 1887, 445. (See 1885, 309.)

SECT. 23. Wilful disturbance of persons in a public library or reading room is made an offence. St. 1885, 225. (See 1893, 417 §§ 309-344; 1895, 287 § 2.)

SECTS. 25-28 are repealed, and new provisions made as to proceedings and punishments in cases of drunkenness. St. 1891, 427; 1892, 303; 1893, 414, 447; 1898, 443. (See 1885, 365, 375; 1886, 323 § 2; 1888, 377; 1891, 356; 1892, 160, 200.)

SECT. 29. Neglect to support wife or minor children is punishable. St. 1885, 176; 1893, 262. (See 1882, 270; 1884, 210.)

SECTS. 29-42. Sentences under these sections regulated. St. 1884, 258; 1885, 365; 1886, 323; 1892, 303; 1893, 447; 1895, 445 § 3; 1898, 443. (See 1887, 264; 1888, 49.)

Peddling or begging by minors is punishable. St. 1887, 422.

SECT. 38 is revised. St. 1896, 385.

SECTS. 49, 50. Removing flowers or memorial tokens from graves, etc., without authority is punishable. St. 1888, 395.

Provision for protection of historical monuments. St. 1899, 358.

SECTS. 52-54. The docking of horses' tails is forbidden under penalty. St. 1894, 461. (See 1889, 267.)

The payment of fines under these sections is regulated. St. 1889, 267; 1891, 304, 416; 1894, 461 § 4.

SECT. 69 is extended. St. 1895, 461. (See 1885, 316; 1893, 436.)

Chapter 208. — Of Offences against Public Health.

Criminal pleadings regulated. St. 1899, 409.

Penalties are provided for: Sale or gift of cigarettes, snuff or tobacco to children under sixteen; St. 1886, 72. Feeding, or keeping with intent to feed, garbage, offal, etc., to milch cows and certain food animals; St. 1889, 326; 1895, 385. Sale of clothing made in unhealthy places; St. 1894, 508. (See 1891, 357; 1892, 296; 1893, 246; 1898, 150.) Manufacture or sale of certain articles containing arsenic; St. 1891, 374; 1900, 325. Pollution of water supplies; St. 1884, 172; 1897, 510 § 6. (See 1890, 441 § 5.) Refusing to furnish a water supply in certain cases; St. 1898, 168. Neglect after notice by board of health, to repair private drain in street; St. 1893, 312. Adulteration of food or drugs; St. 1882, 263; 1884, 289; 1886, 171; 1896, 397 § 19; 1897, 344. (See 1883, 263.) Sale of ice regulated. St. 1900, 448. (See 1890, 276; 1895, 338; 1899, 260.) (As to milk and butter, see 1884, 310; 1885, 352; 1886, 317, 318; 1896, 264, 398; 1899, 340.) Using certain coloring matter in sausages; St. 1898, 193. Making or issuing a false or fraudulent certificate or prescription for sale of intoxicating liquor or medicines; selling intoxicating liquor or drugs by an unregistered pharmacist; and adulterating drugs; St. 1896, 397 §§ 16-19; 1899, 422. (See 1900, 106.) Unlawfully advertising as a physician or a surgeon; St. 1894, 458 § 10; 1895, 412. Breach of regulations for bakeries; St. 1896, 418 § 6. Nuisance by smoke in certain cities; St. 1895, 389. (See 1893, 353, 396 § 40; 1898, 298.)

SECTS. 5, 6. The regulations as to sale of poisons are revised. St. 1896, 397 § 20; 1898, 192. (See 1885, 313; 1887, 38; 1888, 209; 1893, 227, 472.)

Chapter 209. — Of Offences against Public Policy.

It is made unlawful to display a flag or emblem of a foreign country on a public building or schoolhouse, except on certain conditions. St. 1895, 115. Improper use of national or state flag prohibited. St. 1899, 254.

Provisions to prevent lotteries and policy lotteries. St. 1892, 409; 1895, 419. As to standard record inks. St. 1894, 378; 1898, 510; 1899, 354.

A penalty is imposed for having in possession or wearing the body or feathers of a bird whose killing is prohibited by law. St. 1897, 524; 1898, 339.

Property shall not be sold or exchanged under the inducement of any gift or prize. St. 1884, 277; 1898, 576.

Pretending, in writing, to hold a degree of a college or school, or the approval of a college or professional school of a person, process, treatment or goods, and granting degrees without authority, are made offences. St. 1893, 355. (See 1883, 268.) Unlawful posting of advertising signs. St. 1898, 500.

Offences under election laws. St. 1898, 548 §§ 377-416. (See 1892, 330; 1893, 417 §§ 309-344; 1894, 437, 508 §§ 3, 5, 58, 78; 1895, 237 § 2; 1897, 530; 1898, 435 § 2, 505 § 2.)

SECTS. 11-13. See St. 1892, 267.

Chapter 210. — Of Felonies, Accessories, Abettors and Attempts to commit Crimes.

Sentences are regulated. St. 1885, 365; 1886, 323; 1887, 435; 1889, 113; 1890, 316; 1891, 200; 1895, 218, 469, 504; 1897, 294. (See 1896, 304; 1899, 409.)

SECT. 6. See St. 1899, 389.

Chapter 211. — Of Proceedings to prevent the Commission of Crime.

SECTS. 4, 5 amended. Magistrate may impose sentence in case of conviction. St. 1894, 505.

The court may revoke an order requiring recognizance or reduce the amount. St. 1896, 388.

SECT. 6 extended to all criminal cases. St. 1890, 440 § 13. (See 1890, 256.)

SECTS. 13, 16, 17. See St. 1893, 396 § 41.

Chapter 212. — Of Search Warrants, Rewards, Arrests, Examination, Bail and Probation.

Police matrons are provided for in certain cities. St. 1887, 234; 1888, 181.

Wilful delay in service of warrant is punishable. St. 1899, 389.

Male and female prisoners shall not be carried to or from court together in certain cities. St. 1894, 273.

Provisions in regard to arrest of children under twelve. St. 1882, 127; 1890, 284.

SECT. 2. Added to; St. 1885, 342 § 2; 1899, 359 § 8. (See 1890, 452; 1895, 462.)

Property seized under St. 1890, 284, shall be disposed of as the court orders. St. 1890, 452.

SECT. 3. See St. 1899, 408 § 16.

SECT. 4. A trial justice may issue search warrant. St. 1899, 166.

SECTS. 5-10 applied to property seized in pool rooms, gaming houses and opium joints. St. 1894, 410; 1895, 194. (See 1885, 73, 342 § 2; 1887, 448 § 2; 1895, 419.)

SECT. 9 is extended to gaming apparatus and certain other articles. St. 1885, 66.

SECTS. 14-15. See St. 1893, 396 § 42; 1899, 389. If magistrate deems complaint unfounded, frivolous or malicious, he may refuse fees to complainant. St. 1890, 440 § 13.

SECT. 16. A summons shall issue instead of a warrant "unless there is reason to believe that the accused will not appear upon a summons." St. 1890, 225.

SECTS. 17, 20. Warrants and other criminal process may be directed to and served by officers in any county. St. 1886, 247. (See 1895, 380.)

SECT. 22. See St. 1898, 411.

SECT. 26. On adjourning a trial or examination where the offence is punishable with death or imprisonment for life, material witnesses for the government may be bound over according to sections 37-41 of this chapter. St. 1885, 136.

SECT. 34. See St. 1898, 381.

Another justice may complete adjourned proceedings. St. 1883, 175.

SECTS. 36-40. Provision for detention of witnesses in cases of felony, pending pursuit and apprehension of offender. St. 1892, 361. (See St. 1893, 396 § 48.) Provision made for treatment of witnesses in custody. St. 1894, 160, 270. And for their compensation. St. 1894, 406.

SECTS. 37-41. See St. 1885, 136 § 2.

SECT. 46 amended, and sects. 49 and 50 revised. St. 1898, 411.

SECT. 51. The latter clause of this section, forbidding justices to receive compensation for taking bail, is repealed. St. 1885, 135.

SECT. 68. Money may be deposited with any officer authorized to take recognizance. St. 1882, 134.

SECTS. 74-78 repealed, and new provisions made as to probation. St. 1891, 356, 427; 1892, 242; 1894, 229, 368, 372; 1897, 236, 266; 1898, 511; 1900, 279, 449. (See 1882, 125; 1892, 276, 303.)

SECT. 81 amended. St. 1886, 101 § 4; 1898, 433 § 28, 443.

Chapter 213.—Of Indictments, Prosecutions and Proceedings before Trial.

An act to provide for the simplification of criminal pleadings. St. 1899, 409.

SECT. 1. See St. 1897, 400 § 7.

SECT. 15. See St. 1887, 367; 1895, 390; 1896, 482; 1898, 433.

SECTS. 15, 30. The support of such insane persons is to be paid by the State. St. 1883, 148; 1889, 90. (See 1894, 214 § 3.)

SECT. 16 *et seq.* See St. 1886, 328 § 2; 1887, 436.

SECT. 17 repealed and a substitute passed. St. 1886, 53. (See 1885, 144.)

SECT. 28 *et seq.* The superior court has exclusive original jurisdiction in capital cases. St. 1891, 379. (See 1893, 324, 365, 394.)

SECTS. 29, 30 repealed. St. 1891, 379 § 14.

SECTS. 33-35. Police officers may serve subpoenas when requested by district attorney. St. 1890, 440 § 6.

SECT. 35. In cases of felony, witnesses committed may be held a reasonable time pending pursuit and apprehension of the offender. St. 1892, 361. (See 1893, 396 § 48; 1894, 160, 270, 406.)

SECT. 38 not affected by St. 1891, 379 § 4. St. 1893, 365.

SECT. 43. See St. 1890, 437 § 3.

Chapter 214. — Of Trials and Proceedings before Judgment.

SECT. 1. Order of trials in criminal cases regulated. St. 1884, 193; 1889, 432.

SECTS. 5, 6. When two or more persons are tried together the Commonwealth may challenge as many as the defendants. St. 1895, 120.

SECT. 12 *et seq.* See St. 1899, 409.

SECT. 16. See St. 1887, 367.

SECTS. 16, 19, 20. The support of such insane person is to be paid by the State. St. 1883, 148; 1889, 90. (See 1895, 390; 1896, 482; 1898, 433.)

SECT. 21 amended. St. 1895, 390 § 7.

SECT. 22. See St. 1890, 256.

SECTS. 25, 26. See St. 1895, 419 § 6.

Chapter 215. — Of Judgment and Execution.

Sentence shall be imposed notwithstanding exceptions or appeal. St. 1895, 469.

Provision made for the ascertainment and punishment of habitual criminals. St. 1887, 435. And for registration and identification of certain criminals. St. 1890, 316.

Warrants for commitment for non-payment of fines regulated. St. 1891, 416 § 2.

Sentences to State prison regulated. St. 1895, 504; 1897, 294; 1898, 371. (See 1895, 469; 1898, 240.)

And to Suffolk county reformatory. St. 1896, 536.

And to the State Farm. St. 1882, 127; 1884, 258; 1898, 443. (See 1884, 297; 1886, 101 § 4; 1898, 433 § 28.)

Commitment may be made at same time on several sentences. St. 1884, 265. Provision for special officers for the removal and transfer of prisoners. St. 1899, 243.

Convicts may be sent to jail, house of correction, or Suffolk reformatory, and may be transferred from one to the other. St. 1882, 241; 1895, 224; 1896, 521, 536 § 7. (See 1896, 317.) May be employed in State industrial camp. St. 1898, 393.

Prisoners in State institutions shall not be employed outside the precincts of such institution in any mechanical or skilled labor for private parties. St. 1891, 209. May prepare road materials for State highways. St. 1898, 365.

SECTS. 2, 5. Taxing costs against defendants in criminal cases is restricted and payment of expenses regulated. St. 1890, 440; 1891, 325.

Expense of serving warrant of commitment shall be deemed part of expense of prosecution. St. 1890, 328.

SECT. 8. Not to apply to sales of intoxicating liquor by unregistered pharmacists in name of one who is registered. St. 1893, 472. (See 1896, 397; 1900, 106, 317.)

SECT. 15. Sentences of women regulated. St. 1889, 113; 1895, 218. (See 1887, 426; 1896, 304, 317.)

SECT. 18 is revised. St. 1882, 127.

SECT. 22. A prisoner in the Massachusetts reformatory may be sent to State prison or house of correction on conviction of an offence punishable by imprisonment therein. St. 1891, 200. (See 1895, 273.)

SECTS. 32, 33, 37-39 are repealed. Infliction of death penalty by electricity is established and regulated. St. 1898, 326.

Chapter 216.—Of Fire Inquests.

This chapter is repealed, and the laws as to fire inquests revised. St. 1894, 444; 1896, 303. (See 1886, 296; 1887, 214; 1888, 199; 1889, 451; 1891, 229; 1895, 452; 1898, 160.)

Chapter 217.—Of Fines, Forfeitures and Costs.

SECT. 1. See St. 1887, 438 § 5; 1890, 440 § 5; 1891, 416.

Expense of serving warrant of commitment shall be deemed a part of expense of prosecution. St. 1890, 328.

SECT. 4. See St. 1890, 440 § 2; 1898, 204; 1899, 383.

SECT. 6. See St. 1890, 353.

SECTS. 8, 9. Taxation, certification and payment of costs and fines regulated. St. 1890, 218, 440; 1891, 236, 392, 416; 1892, 200; 1893, 396 §§ 53, 62. (See 1889, 469; 1898, 204.)

SECT. 13 repealed. St. 1890, 218 § 3.

SECT. 15 is repealed, and method of accounting for moneys received under section 14 established. St. 1891, 416.

Chapter 218.—Of Fugitives from Justice and Pardons.

SECT. 6 repealed. Payment of expenses of requisitions regulated. St. 1886, 267.

SECT. 14. Sentences after breach of condition of a pardon regulated. St. 1882, 197.

Chapter 219.—Of the Commissioners of Prisons.

The commissioners shall make reports to the governor at least once in six months. St. 1893, 428. (See 1898, 366.) Shall make special rules for treatment of witnesses held in custody. St. 1894, 270. (See 1892, 361; 1894, 160, 273, 406; 1900, 241.)

They may provide for surgical treatment of prisoners. St. 1882, 207. They shall provide for exercise for unemployed prisoners. St. 1895, 146. And for medical supervision of prisoners in solitary cells in county prisons. St. 1895, 195. And for teaching certain prisoners to read and write. St. 1895, 259.

Powers and duties of commissioners in regard to the reformatory prescribed. St. 1884, 255, 331; 1886, 323 § 4; 1888, 317; 1894, 249. To probation service. St. 1900, 449. As to release on parole of prisoners in State prison. St. 1894, 440; 1895, 252, 504; 1897, 206, 272. (See 1888, 192.) As to approval of bills, see St. 1884, 255 § 30; 1888, 337, 403 § 7; 1889, 294.

The governor may remove commissioners at pleasure. St. 1893, 453.

Registration and measurement of certain convicts provided for. St. 1890, 316; 1900, 260. (See 1892, 313; 1899, 203.)

The authorities of State of Vermont are granted permission to detain in and transport through this State convicts sentenced in Vermont. St. 1892, 423.

SECT. 3. Secretary's salary fixed. St. 1886, 275. (See 1884, 331 § 4.)

SECT. 4. Removal and transfer of prisoners regulated. St. 1882, 207, 241; 1884, 255 §§ 12-18; 1885, 35, 320; 1887, 292, 375; 1888, 192; 1890, 180, 278; 1894, 214, 249; 1895, 273; 1898, 393 § 7; 1899, 263. (See 1894, 273; 1896, 317, 521.) Special officers provided for. St. 1899, 243.

State prison convicts may be graded and classified. St. 1892, 267. (See 1891, 372.)

SECT. 6. Vagrants and tramps may be removed to the State farm. St. 1885, 35 § 1. (See 1887, 264; 1896, 385; 1898, 443.)

SECT. 7 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1898, 443.)

SECT. 14 *et seq.* Labor in prisons and employment of prisoners regulated. St. 1883, 217; 1885, 94; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460; 1897, 412, 434, 480; 1898, 259, 277, 307, 334, 365, 393; 1900, 269, 425. (See 1895, 146, 259.)

SECTS. 17, 18 repealed. St. 1888, 403 § 6.

SECT. 24. Sentence may be to reformatory prison for women. St. 1894, 260. (See 1895, 218.)

SECTS. 26-30. Additional agents authorized and provisions for aiding discharged prisoners. St. 1886, 177; 1887, 315, 336, 395; 1888, 417; 1895, 383; 1897, 350. (See 1888, 322, 330.)

SECT. 32. See St. 1889, 245; 1895, 449.

SECTS. 34, 35 *et seq.* Reports and returns are regulated. St. 1882, 226; 1891, 187, 236, 392, 416; 1892, 290 § 2; 1898, 277.

SECT. 36 repealed. St. 1882, 226 § 3.

SECT. 39. Allowance made for clerical assistance. St. 1888, 328; 1895, 431. (See 1885, 52.)

Chapter 220.—Of Jails and Houses of Correction.

Provision for a State industrial camp for certain convicts. St. 1898, 393.

An act relative to the Suffolk county reformatory, house of correction and Boston house of industry. St. 1896, 536; 1899, 347.

Police matrons and stations for the detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Carrying male and female prisoners together to and from court is forbidden in certain cities. St. 1894, 273.

A general superintendent of prisons is provided for. St. 1887, 447 § 6; 1895, 322. (See 1888, 403; 1891, 228; 1894, 451, 460; 1897, 412, 434, 480; 1898, 307, 334, 365, 393.)

And medical supervision in certain cases. St. 1895, 195.

SECT. 2. The sheriff may transfer prisoners between jails and houses of correction. St. 1882, 241. (See 1890, 278; 1896, 521.)

Provision for removal of sick prisoners to State farm. St. 1894, 214.

SECT. 11 *et seq.* An institution commissioner substituted for directors for public institutions of Boston. St. 1895, 449 § 14. (See 1885, 266; 1889, 245; 1896, 521, 536; 1897, 395, 451; 1898, 496 §§ 29, 35, 580; 1899, 347; 1900, 473.)

SECTS. 13, 14. Contract labor is forbidden in certain prisons. St. 1887, 447; 1888, 22. (See 1888, 403; 1894, 451; 1897, 412.) And employment of prisoners for private parties outside of prison precincts. St. 1891, 209. They may be employed to prepare road materials for State highways. St. 1898, 365, 393. Hours of labor regulated. St. 1900, 425.

SECT. 19 repealed. St. 1898, 496 § 34. (See 1891, 426; 1894, 498.)

SECT. 23. See St. 1890, 215; 1894, 349.

SECT. 29. See St. 1890, 328.

SECT. 35. See St. 1900, 333.

SECT. 36. The requirement of whitewashing is stricken out. St. 1886, 226.

SECT. 40 *et seq.* Labor in prisons and employment of prisoners are regulated. St. 1883, 217; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460; 1897, 412, 434, 480; 1898, 259, 277, 307, 334, 365, 393; 1900, 269, 425. (See 1895, 146, 259.)

SECT. 46. Provision made for teaching certain illiterate prisoners to read and write. St. 1895, 259.

SECT. 49. Clerical error corrected. St. 1882, 6 § 4.

SECT. 50. Escapes of prisoners employed outside are punishable. St. 1882, 198. (See 1885, 94.)

SECT. 53 *et seq.* Invoice books of supplies must be kept. St. 1890, 296. (See 1889, 294.)

SECTS. 54, 55. The purchase of tools, materials, machinery, etc., and sale of manufactured goods provided for and regulated. St. 1887, 447; 1888, 403 § 3; 1891, 228. (See 1891, 371; 1898, 365.)

Funds not required for immediate use must be deposited. St. 1890, 215.

Payment of funds regulated. St. 1893, 270.

SECT. 65. See St. 1890, 296.

SECTS. 66, 68. Further provisions made as to release of prisoners on probation. St. 1884, 152, 255 §§ 33, 34; 1886, 323 § 4; 1888, 317; 1894, 440; 1895, 252, 504; 1897, 206, 272 294; 1898, 240, 371. (See 1888, 192.)

SECT. 68 amended. St. 1886, 101 § 4; 1898, 433 § 28. (See 1898, 443.)

SECT. 69 applies to St. 1891, 356. (See 1898, 511; 1900, 279.)

Chapter 221.—Of the State Prison and the Reformatory Prison for Women.

A general superintendent of prisons is provided for. St. 1887, 447 § 6; 1895, 322. (See 1888, 403; 1891, 228; 1894, 451, 460; 1897, 412, 434, 480; 1898, 307, 334, 365.) Provision for registration and identification of criminals. St. 1890, 316; 1900, 260. (See 1899, 203.)

The prison at Concord is made a reformatory prison for men, and the State prison is re-established at Boston. St. 1884, 255, 331. (See 1885,

356, 365; 1886, 323; 1888, 49; 1891, 215, 372 § 2; 1893, 441; 1898, 307. Res. 1890, 55; 1894, 109.)

Sentences to State prison regulated. St. 1895, 504; 1897, 294; 1898, 371. (See 1895, 469; 1896, 344; 1898, 240.)

Permits to be at liberty authorized and regulated. St. 1884, 152, 255 §§ 33, 34; 1887, 435 §§ 2, 3; 1888, 192, 317; 1894, 440; 1895, 252, 504; 1897, 206, 272; 1898, 240, 371.

Sentences to the men's reformatory are regulated. St. 1885, 365; 1886, 323; 1888, 49; 1891, 427 § 5; 1892, 302, 303; 1893, 447. (See 1884, 255 §§ 8-11, 33-35; 1885, 35, 320, 356; 1891, 200; 1898, 496 § 30.)

Sentences of prisoners in the reformatory, convicted of offences punishable by imprisonment in the State prison or house of correction, are regulated. St. 1891, 200. (See 1892, 302.)

Removals and transfers of prisoners regulated. St. 1882, 207, 241; 1884, 255 §§ 12-18; 1885, 35, 320; 1887, 292, 375; 1888, 192; 1890, 180, 278; 1891, 200; 1894, 214, 249; 1895, 273; 1899, 263. (See 1894, 273.) Special officers provided for. St. 1899, 243.

Labor in prisons and employment of prisoners regulated. St. 1883, 217; 1885, 94; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460; 1897, 412, 434, 480; 1898, 259, 307, 334, 365, 393; 1900, 269. (See 1895, 146, 259.)

The purchase of machinery, tools and materials and sale of manufactured goods are regulated. St. 1887, 447 §§ 3, 4; 1888, 403 § 3; 1891, 228; 1897, 412; 1898, 259, 334.

Convicts may be punished for wilful or wanton destruction of property. St. 1891, 295; 1896, 344.

The illicit conveyance of articles to or from the men's reformatory is made punishable. St. 1887, 339. And trespass on prison lands and disturbance of prisons and illicit communication with prisoners. St. 1885, 303.

Provision for removal of persons and property unlawfully on prison premises. St. 1895, 141.

SECTS. 6, 7 repealed. St. 1882, 203 § 4.

SECT. 6 et seq. List of officers revised, and compensation fixed. St. 1889, 412; 1893, 456; 1894, 370, 477. (See 1882, 203; 1884, 95; 1887, 355; 1888, 264; 1893, 455; 1894, 349, 477.) Assistant watchmen. St. 1899, 245. Electrician and assistant engineer. St. 1900, 286.

And of the officers of the reformatory prison for men. St. 1890, 255; 1893, 333. (See 1884, 255 §§ 19-21; 1888, 335; 1889, 408; 1890, 267; 1894, 349.)

The removal of subordinate officers is regulated. St. 1887, 355; 1890, 267. (See 1888, 264; 1889, 412.) Subordinates must give bond and be sworn. St. 1893, 426. May be transferred to service as watchmen. St. 1894, 349.

SECT. 8 amended. St. 1887, 355.

SECT. 23 to govern inspector of industries when serving as warden. St. 1894, 477.

SECT. 25 et seq. Provision made for grading and classifying prisoners in the State prison. St. 1892, 267. (See 1891, 372.)

SECT. 27 amended. Words "or printing" stricken out. St. 1888, 189.

SECT. 30. Schools for the prisoners provided for. St. 1886, 197. (See 1895, 259; 1898, 365, 393.)

SECT. 43 *et seq.* List of officers revised. St. 1883, 267; 1884, 43; 1887, 341; 1888, 327; 1897, 329. Female convicts of the United States courts are to be sent to the reformatory for women. St. 1887, 426; 1896, 304. (See 1894, 260; 1895, 218, 273; 1896, 344.) Additional land taken for reformatory. St. 1885, 287; 1889, 463; 1894, 407. (See 1895, 141.)

Prisoners may be employed on land or in building appurtenant to reformatory. St. 1885, 94. (See 1884, 255 § 32; 1898, 307.)

Transfers and removals of female prisoners regulated. St. 1888, 192; 1896, 317. (See 1894, 273; 1895, 273.)

Escapes and attempts to escape are made punishable. St. 1885, 94. (See 1882, 198; 1884, 255 § 32; 1898, 307.)

A burial place is provided for. St. 1882, 213.

A sewerage system is provided for. St. 1887, 403; 1892, 211.

SECT. 44. See St. 1883, 267; 1884, 43.

SECT. 52. Further provisions made as to permits. St. 1884, 152, 255; 1887, 435; 1888, 192, 317; 1894, 440; 1895, 252, 504; 1897, 206, 272; 1898, 240, 371.

SECTs. 54, 55. Method of approval of bills and contracts changed. St. 1888, 403 § 7; 1889, 294. (See 1883, 267; 1884, 255 §§ 28, 30; 1887, 447; 1888, 22, 337; 1898, 259.)

Chapter 222.—Special Provisions concerning Penal and Other Public Institutions.

Masters of jails having public funds must deposit all not required for immediate use. St. 1890, 215.

Payment of funds regulated. St. 1893, 270.

No prisoner in any State institution shall be employed outside in mechanical or skilled labor for private parties. St. 1891, 209.

Hours of labor regulated. St. 1900, 425. (See 1898, 334; 1900, 269.)

Prisoners or inmates of institutions suffering from syphilis shall have medical treatment and may be isolated. St. 1891, 420. (See 1895, 400.)

Surgical treatment and medical treatment provided for in certain cases. St. 1882, 207; 1895, 195. And exercise for unemployed prisoners. St. 1895, 146. And teaching certain illiterate prisoners to read and write. St. 1885, 259. Provision for Bertillon system of identifying certain convicts. St. 1890, 316; 1899, 203; 1900, 260. (See 1892, 313.)

Convicts may be punished for wilful destruction of property. St. 1891, 295; 1896, 344.

Act relative to expenses of and receipts from prison industries. St. 1898, 259, 277, 334. (See 1898, 307, 365, 393.)

SECT. 3. See St. 1895, 195.

SECT. 10. Further provisions concerning removal of insane prisoners in the reformatory for men. St. 1885, 320; 1895, 390.

SECTs. 10-12, 14, 25. See St. 1886, 101 § 4, 219; 1887, 367; 1895, 390; 1896, 482; 1898, 433, 443.

SECT. 15 is amended. St. 1899, 226.

SECT. 17. A trial justice may act, if there is no police or district court in the county. St. 1882, 201.

SECT. 20 does not apply to persons sentenced to the reformatory. St. 1886, 323 § 7. Provision for special deductions at State farm. St. 1894, 258. (See 1887, 264; 1898, 443.)

SECTS. 20, 21. Form of sentences to State prison modified. St. 1895, 504; 1897, 294; 1898, 240, 371. Releases on probation are further regulated. St. 1884, 152, 255 §§ 33, 34; 1887, 435 § 2; 1888, 192, 317; 1894, 440; 1895, 252, 504; 1897, 206, 272; 1898, 240, 371, 496 § 29.

SECT. 25. See St. 1891, 420 § 2.

Glossary.

The relations of avoirdupois and troy pounds are fixed. St. 1894, 198 § 1.

II.

CHANGES IN THE GENERAL STATUTES

PASSED SINCE THE ENACTMENT OF THE
“PUBLIC STATUTES.”

[The changes are more fully stated in Table I., under the appropriate chapter of the Public Statutes.]

Statutes of 1882.**Chap.**

- 28 Repealed, 1890, 423. (See 1885, 108.) P. S. 7.
- 29 Repealed, 1886, 66. P. S. 5.
- 36 Amended, 1888, 114. (See 1894, 389, 422.) P. S. 52.
- 41 § 2 superseded, 1887, 163 § 2. P. S. 154.
- 43 Affected, 1885, 132; 1896, 396 § 63. P. S. 154.
- 49 Amended, 1894, 130. (See 1896, 162.) P. S. 2, 77, 160.
- 50 Repealed, 1894, 317. P. S. 116.
- 54 See 1900, 223. P. S. 112.
- 63 Superseded, 1886, 307. P. S. 154.
- 65 Repealed, 1885, 247. P. S. 91.
- 74 Repealed, 1884, 299 § 44. P. S. 7.
- 76 Superseded, 1888, 363. (See 1887, 228.) P. S. 11.
- 77 Repealed, 1894, 317. (See 1883, 258 § 2; 1884, 72; 1886, 300; 1887, 214 § 95.) P. S. 116.
- 87 Superseded, 1886, 167. P. S. 154.
- 94 Superseded, 1882, 225. P. S. 112.
- 95 See 1893, 396 §§ 25-29. P. S. 154.
- 97 Superseded, 1887, 411 § 23. P. S. 14.
- 98 See 1884, 212; 1885, 256; 1887, 314; 1889, 109; 1890, 293; 1891, 122; 1893, 183. P. S. 91.
- 102 Amended, 1884, 245. P. S. 91.
- 103 Affected, 1883, 109 § 1; 1895, 106 § 2. P. S. 19.
- 106 Amended, 1883, 74. Affected, 1884, 330 § 3; 1886, 230; 1891, 341; 1894, 381, 541; 1895, 157, 311. P. S. 13, 105.
- 108 § 1 amended, 1888, 313. P. S. 53.
- 111 Repealed, 1886, 38. P. S. 16.
- 112 Affected, 1894, 67. P. S. 16.
- 125 Repealed, 1891, 356. P. S. 112.

Statutes of 1882 — *Continued.*

Chap.

- 127** § 2 amended, 1886, 101 § 4; 1898, 433 § 28. P. S. 89.
129 Superseded, 1893, 469. (See 1886, 184; 1889, 251.) P. S. 158.
131 See 1892, 43. P. S. 1.
135 Shall not apply to provisions of 1890, 428. (See 1885, 194.) P. S. 112.
139 Extended, 1883, 252; 1889, 107; 1896, 476. P. S. 18, 159.
141 See 1899, 479 § 7; 1900, 450 § 3. P. S. 125, 135.
144 Superseded, 1893, 469. (See 1891, 91.) P. S. 158.
146 Affected, 1886, 15. P. S. 154.
148 Repealed, 1894, 317. (See 1886, 252; 1889, 77, 321; 1892, 248.) P. S. 116.
149 See 1895, 356; 1896, 78. P. S. 112.
150 Repealed, 1894, 508. P. S. 74.
154 § 1 amended, 1890, 240; 1899, 253. § 7 extended, 1895, 450 § 4. Affected, 1884, 226; 1893, 300, 407, 416; 1896, 199, 313. (See 1887, 411 §§ 90, 108; 1893, 75, 225, 367 §§ 90, 108; 1897, 379, 428.) P. S. 27, 28.
157 Affected, 1888, 289. P. S. 17.
158 Superseded, 1889, 440 § 10. P. S. 4.
163 Affected, 1886, 296 § 3; 1897, 254 §§ 3, 9. P. S. 35, 203.
165 Amended, 1887, 125. P. S. 11.
166 § 1 amended, 1884, 317. (See 1888, 121; 1893, 201; 1895, 88; 1897, 110.) P. S. 91.
176 In part repealed, 1884, 197; 1887, 117; 1894, 470. P. S. 154.
178 Superseded, 1887, 411 § 127. P. S. 14.
179 Superseded, 1887, 411 § 124. Res. 1890, 67. P. S. 14.
181 §§ 1, 2, 3 amended, 1886, 101 § 4; 1898, 433 § 23. § 3 amended, 1886, 330; 1888, 248; 1898, 496 § 35, 580; 1900, 397. Affected, 1883, 232; 1892, 318; 1893, 217, 252; 1896, 382; 1898, 433; 1900, 254. (See 1889, 309, 416.) P. S. 48, 86.
182 Superseded, 1896, 380. P. S. 28.
195 § 1 repealed, 1888, 449 § 21. (See 1894, 367, 522.) P. S. 119.
196 Repealed, 1888, 24; 1897, 114. P. S. 5.
198 Affected, 1884, 255 § 32; 1898, 307. P. S. 221.
199 Affected, 1883, 169; 1898, 181. (See 1886, 276 § 11.) P. S. 92.
200 Repealed, 1894, 317. (See 1886, 77.) P. S. 116.
203 Repealed, 1888, 264 § 3; 1889, 412. (See 1884, 95; 1887, 355.) P. S. 221.
205 Repealed, 1888, 274 § 3. P. S. 152.
208 Repealed, 1894, 481. (See 1883, 173; 1890, 90; 1892, 419 § 138.) P. S. 104.
212 Affected, 1883, 105; 1885, 327; 1887, 31, 212; 1888, 333; 1889, 111; 1894, 143, 144; 1895, 57, 421; 1896, 254, 297; 1897, 117. § 2 amended, 1888, 333. § 6 affected, 1885, 327. (See 1888, 296.) P. S. 20.
213 See 1885, 287. P. S. 221.
215 See 1890, 440 § 7; 1898, 204. P. S. 199.

Statutes of 1882 — Continued.

Chap.

- 217 § 1 amended, 1888, 323. (See 1889, 465; 1890, 160 §§ 2, 3.) P. S. 11.
- 218 Affected, 1890, 127. P. S. 11.
- 219 Affected, 1884, 122. P. S. 45.
- 220 Limited, 1894, 129. P. S. 100.
- 223 Amended, 1893, 194, 280. P. S. 146.
- 224 Repealed, 1890, 168. (See 1883, 202; 1886, 95.) P. S. 116.
- 225 Extended, 1894, 469. P. S. 112.
- 226 § 2 affected, 1892, 290. P. S. 219.
- 227 § 3 amended, 1883, 75; 1889, 122. P. S. 154.
- 231 Repealed, 1887, 423. (See 1885, 124.) P. S. 116.
- 232 § 1 amended, 1886, 37 § 2; 1890, 294. Affected, 1897, 342. (See 1888, 357, 371; 1891, 181.) P. S. 159.
- 233 Amended, 1886, 165; 1898, 214. § 2 affected, 1889, 312; 1898, 250. § 6 in part superseded, 1889, 19; 1892, 93; 1893, 479; 1898, 358. P. S. 154.
- 237 Extended, 1885, 283. Amended, 1890, 427 § 1. Affected, 1893, 340. (See 1889, 442; 1897, 522; 1898, 562 § 85.) P. S. 176.
- 239 Superseded, 1894, 412. P. S. 153.
- 241 See 1884, 255 §§ 12-18; 1885, 35; 1887, 292, 375; 1888, 192; 1895, 273; 1896, 317, 521, 536; 1898, 393. P. S. 219.
- 242 Affected, 1885, 90. P. S. 100.
- 243 Repealed, 1888, 390 § 95. P. S. 12.
- 244 Affected, 1886, 125; 1887, 270 § 6. Extended, 1890, 181. P. S. 112, 115.
- 245 § 1 superseded in part, 1884, 204; 1886, 15, 37, 123, 130, 166; 1887, 180; 1888, 195; 1889, 97, 158, 174, 218, 277, 289; 1891, 71, 78, 107, 108, 161, 162, 190; 1892, 100; 1893, 479; 1897, 390; 1898, 888. § 2 superseded, 1887, 160; 1892, 233. P. S. 154, 159.
- 246 Affected, 1885, 345 § 6. P. S. 40.
- 247 Repealed, 1884, 298 § 53. P. S. 6.
- 249 Superseded, 1895, 234 § 5. P. S. 187.
- 250 Repealed, 1885, 122. P. S. 102.
- 251 Affected, 1883, 98; 1896, 277, 285, 286, 327, 361; 1898, 247. Amended, 1885, 121. In part repealed, 1887, 216. (See 1895, 172.) P. S. 117.
- 252 Repealed, 1892, 419 § 138. P. S. 11, 104.
- 253 Superseded, 1891, 396; 1896, 519. P. S. 9.
- 255 See 1896, 190. P. S. 49.
- 257 § 1 superseded, 1894, 394. §§ 2, 3 superseded, 1895, 193. (See 1884, 334; 1887, 116.) § 4 affected, 1895, 11. P. S. 2.
- 258 See 1894, 180. P. S. 102.
- 259 See 1894, 388; 1896, 169. P. S. 100.
- 260 Repealed, 1890, 423 § 228. (See 1889, 413.) P. S. 7.
- 263 Amended, 1883, 263 § 1; 1884, 289; 1886, 171; 1897, 344; 1898, 433 § 28. Affected, 1885, 352 § 5; 1886, 317, 318; 1891, 319; 1896, 397. § 5 amended, 1886, 101 § 5. P. S. 208.
- 264 § 1 affected, 1888, 257; 1889, 433. P. S. 168.

Statutes of 1882 — Concluded.**Chap.**

- 265** § 3 affected, 1884, 279. P. S. 112.
266 Repealed, 1894, 481. (See 1887, 218, 276; 1888, 426.) P. S. 104.
267 §§ 1, 2 superseded, 1900, 267. P. S. 169.
268 Repealed, 1884, 298 § 53. P. S. 6.
270 § 3 amended, 1886, 101 § 4; 1898, 433 § 28. In part repealed, 1892, 318 § 16. § 4 amended, 1884, 210; 1885, 176; 1893, 262. (See 1889, 309, 416; 1891, 194; 1895, 310; 1898, 483.) P. S. 48.
272 Affected, 1884, 76. P. S. 102.
274 § 2 repealed, 1888, 183 § 3. P. S. 94.

Statutes of 1883.

- 14** Affected, 1887, 178; 1892, 353; 1893, 51. P. S. 103.
31 Affected, 1895, 88. P. S. 91.
32 § 2 amended, 1900, 154. P. S. 112.
33 Repealed, 1887, 214 § 112. (See 1884, 120.) P. S. 119.
36 Repealed, 1886, 276 § 11. P. S. 92.
41 § 1 affected, 1887, 86 § 2. P. S. 11.
42 Repealed, 1890, 423 § 228. (See 1884, 299 §§ 29-32; 1886, 262; 1888, 164.) P. S. 7.
47 See 1885, 42 § 2, 137 § 2; 1888, 419 § 13; 1889, 170; 1893, 371; 1895, 125; 1897, 183; 1899, 353. P. S. 154.
48 Superseded, 1887, 26. P. S. 15.
52 Repealed, 1894, 317. (See 1883, 248; 1886, 77.) P. S. 116.
53 Superseded, 1888, 235. P. S. 154.
54 Superseded, 1886, 37; 1890, 294. P. S. 159.
55 Superseded, 1891, 292; 1894, 393. (See 1885, 369 § 3; 1888, 85; 1889, 440.) P. S. 4.
57 Superseded, 1885, 155 § 5. P. S. 155.
61 Affected, 1888, 180. (See 1898, 204.) P. S. 26.
62 Affected, 1886, 281; 1888, 346. P. S. 183.
65 See 1890, 440 § 9; 1896, 225; 1898, 282. P. S. 103.
71 Superseded, 1892, 96. (See 1886, 73; 1889, 103.) P. S. 11.
76 Affected, 1884, 199; 1886, 163; 1889, 292; 1890, 336. P. S. 91.
78 Affected, 1885, 339 § 3; 1886, 319 § 2. P. S. 87.
80 § 2 superseded, 1886, 106 § 2. P. S. 154.
91 Affected, 1887, 86; 1890, 242. (See 1891, 65.) P. S. 11.
93 See 1899, 462. P. S. 100.
97 § 3 superseded, 1894, 336. (See 1885, 180; 1888, 233; 1891, 107.) P. S. 154.
98 Affected, 1885, 121; 1887, 216. P. S. 117.
101 Repealed, 1888, 390 § 95. P. S. 12.
105 Affected, 1887, 31; 1888, 333; 1894, 143, 144; 1895, 57; 1896, 297; 1897, 117. P. S. 20.
107 Repealed, 1887, 214 § 112. P. S. 119.
109 Affected, 1895, 106. P. S. 19.
110 Amended, 1886, 101 § 4; 1898, 433 § 28. P. S. 89.

Statutes of 1883 — Continued.**Chap.**

- 113 Affected, 1888, 154. P. S. 1.
- 117 Amended, 1888, 240. Extended, 1891, 129. P. S. 112.
- 118 Affected, 1889, 457. P. S. 68.
- 120 Superseded, 1887, 448 § 2. P. S. 99.
- 121 See 1884, 317; 1893, 201; 1895, 88; 1897, 110. P. S. 91.
- 124 Repealed, 1897, 437. (See 1887, 335; 1888, 302 § 2.) P. S. 32.
- 126 Repealed, 1887, 214 § 112. P. S. 119.
- 133 Superseded, 1889, 193. P. S. 80.
- 134 Repealed, 1894, 317. P. S. 116.
- 138 Amended, 1886, 101 § 4; 1893, 302; 1898, 433 § 28. (See 1884, 98.) P. S. 80.
- 142 Affected, 1889, 299. (See 1890, 264 § 3.) P. S. 82.
- 145 Affected, 1884, 237; 1886, 210. P. S. 50.
- 148 §§ 2, 3 amended, 1889, 90. (See 1898, 433.) P. S. 87.
- 154 Affected. Res. 1897, 88. St. 1899, 476. P. S. 1.
- 156 Extended, 1893, 417 §§ 319, 327. (See 1887, 147; 1888, 436 § 28; 1889, 413 § 28; 1892, 351 § 44.) P. S. 208.
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- 352 Amended, 1886, 317, 318; 1896, 398; 1899, 223. (See 1891, 58, 412; 1896, 377; 1897, 349; 1899, 169.) P. S. 56, 57.
- 353 Affected, 1888, 405; 1889, 406, 417; 1890, 387; 1897, 247. § 4 repealed, 1895, 394. P. S. 157.
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- 369 Repealed, 1894, 393. (See 1888, 191; 1889, 440; 1890, 97, 126; 1891, 292; 1893, 70.) P. S. 4.

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- 63** Superseded, 1887, 411. P. S. 14.
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- 69** Repealed, 1894, 317. (See 1887, 196; 1888, 213; 1890, 168.) P. S. 116.
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- 189 See 1888, 403; 1891, 209, 228, 371; 1897, 412, 434, 480; 1898, 334, 393. P. S. 221.
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- 178 Repealed, 1893, 423. P. S. 27.
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- 368 See 1894, 372; 1897, 266; 1898, 511; 1900, 279. P. S. 154, 212.
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- 377 §§ 1-3 amended, 1899, 845. (See 1894, 527; 1897, 383; 1898, 131.) P. S. 158.
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- 508 Repealed, 1898, 499 § 2. P. S. 61.
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- 89 Superseded, 1895, 299. P. S. 7.
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- 361 Affected, 1898, 561; 1899, 374. P. S. 30.
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- 373 See 1896, 490. P. S. 17.
- 374 Repealed, 1898, 548. P. S. 27.
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- 376 See 1896, 449, 494. P. S. 74.
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- 276 Repealed, 1899, 408 § 27. (See 1897, 165, 499; 1898, 451.) P. S. 58, 90.
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Commonwealth of Massachusetts.

OFFICE OF THE SECRETARY, BOSTON, September 8, 1900.

I certify that the acts and resolves contained in this volume are true copies of the originals, and that the accompanying papers are transcripts of official records and returns.

I further certify that the tables showing what general statutes have been affected by subsequent legislation have been prepared, and are printed as an appendix to this edition of the laws, by direction of the governor, in accordance with the provisions of chapter 238 of the Acts of 1882.

WILLIAM M. OLIN,

Secretary of the Commonwealth.

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